

1 UNITED STATES DISTRICT COURT

2 FOR THE WESTERN DISTRICT OF WASHINGTON

3
Stanley Zhong; Nan Zhong, individually and
as next friend of his **Minor Son**,

Plaintiffs,

v.

The Regents of the University of Washington in their official capacities; **The University of Washington; Ana Mari Cauce**, in their personal capacity and their official capacity as the President of the University of Washington; **Paul Seegert**, in their personal capacity and their official capacity as the Director of Admissions at the University of Washington; **Magdalena Balazinska**, in their personal capacity and their official capacity as Chair of the Paul G. Allen School of Computer Science & Engineering at the University of Washington; **Tadayoshi Kohno**, in their personal capacity and their official capacity as Associate Director of the Allen School for DEIA (Diversity, Equity, Inclusion & Access); **Chloe Dolese Mandeville**, in their personal capacity and their official capacity as Assistant Director for Diversity & Access; **Other persons Does 1-20** acting in concert with those named above,

Defendants.

Case No. 2:25-cv-00348

FIRST AMENDED COMPLAINT

JURY TRIAL DEMANDED

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND DAMAGES

I. INTRODUCTION

1. Plaintiffs Stanley Zhong (“Stanley”) and Nan Zhong (“Nan”), individually and acting on behalf of his Minor Son (“Minor Son”), pursuant to Federal Rule of Civil Procedure 5.2(a), collectively referred to as “Plaintiffs,” bring this civil rights action against the University of Washington (“UW”) and the named UW officials (collectively, “Defendant UW”).
2. Plaintiffs allege that the University of Washington and its officials discriminated against highly qualified Asian-American applicants, including Stanley, in the admissions, and, by maintaining the same race-conscious policies, place the Minor Son under an imminent threat of similar discrimination. That conduct violates: (1) the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution; (2) Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.; (3) 42 U.S.C. § 1981, which guarantees equal contractual rights regardless of race; and (4) RCW 49.60.400’s prohibition on racial discrimination in public education.
3. This case is about the most basic of American promises: to give meaning to the Declaration of Independence’s promise that *all human beings are created equal*. Especially over the past half-century, the nation has made a concerted effort to transform this ideal from a lofty aspiration to enforceable guarantee. At the heart is the simple but profound rule: that racial discrimination is more than unfair—it is illegal and indeed, unconstitutional.

- 1 4. And yet, in one of the most competitive and consequential domains of American
2 life, college admissions, our elite public universities like UW—and the
3 government actors who fund and partner with them—proudly discriminate against
4 Asian American applicants based on their race and have done so for decades.
5 UW operates as though anti-discrimination law protects only *certain* minorities of
6 their preference. Under this conception, Asian Americans are treated not as
7 beneficiaries of civil rights, but as exceptions who are not entitled to civil rights.
- 8 5. UW does not openly call these policies what they are—racial discrimination.
9 Instead, UW uses euphemistic language like “affirmative action” and “holistic
10 review.” Racial favoritism is rebranded as “progress,” and UW reframes race
11 preferences as somehow desirable. But discrimination by another name is still
12 discrimination. Focusing on the benefit to some rather than the burden on others
13 is a rhetorical sleight of hand. Forcing one competitor to begin a race far behind
14 the starting line is no different than giving his rival a head start. In a zero-sum
15 admissions process, selecting winners based on race necessarily predetermines
16 losers. UW’s rhetoric obscures the harm, but does not erase it.
- 17 6. The results speak for themselves. For years, UW’s college admissions
18 systemically penalized hard-working Asian American students—not because they
19 lack merit, but because they don’t fit the racial preferences that UW wants to
20 engineer. In the name of vague notions of restitution for past racial injustice,
21 universities like UW have simply created new victims.
- 22 7. Stanley and the Minor Son of Nan Zhong do not ask for special treatment. They
23 ask only for what the Constitution guarantees: an equal shot. A chance to be

1 evaluated on the strength of their character, their intellect, and their
2 achievements, without penalty for race. The Constitution demands nothing less.

3 8. Plaintiffs seek declaratory and injunctive relief to ensure that UW's admissions
4 policies comply with federal and state law and to allow Asian Americans
5 applicants like Stanley Zhong and the Minor Son an equal opportunity to
6 compete for admission on the basis of merit, free from discrimination. Plaintiffs
7 also seek nominal damages and other appropriate relief for the injuries suffered
8 to their civil rights.

9 II. PARTIES

10 A. Plaintiffs

11 9. Plaintiff Stanley Zhong is a second-generation Asian American student who at all
12 relevant times was a resident of the state of California. Stanley was denied
13 admission to UW despite extraordinary credentials. Stanley Zhong is a US
14 citizen.

15 10. Like his older brother, Nan Zhong's Minor Son is an Asian American student and
16 a minor child with strong academic ambitions and performance to match. He
17 intends to apply to UW. Because he faces a credible and imminent harm of being
18 subjected to the same discriminatory admissions policies, the Minor Son has
19 standing to seek prospective relief as recognized by the Supreme Court in *Gatz*
20 *v. Bollinger*, 539 U.S. 244 (2003), and *Northeastern Fla. Chapter of the*
21 *Associated Gen. Contractors of America v. Jacksonville*, 508 U.S. 656 (1993). He
22 is a resident of the state of California.

1 11. Plaintiff Nan Zhong proceeds on behalf of and as next friend of his Minor Son
2 pursuant to Fed. R. Civ. P. 17(c); he is a first-generation immigrant from China
3 and a permanent resident of California. He is also the father of Stanley Zhong.

4 12. The 2024 decision of the Second Circuit Court of Appeals in *Chinese American*
5 *Citizens Alliance of Greater New York (CACAGNY) v. Adams*, 116 F.4th 161,
6 affirms that an “equal protection claim can be asserted by individuals alleging
7 they suffered harm from the discriminatory policy or law, as well as other
8 individuals (such as a parent or guardian) or organizations that also have
9 standing to sue.”

10 13. Plaintiff Nan Zhong also proceeds individually because he personally suffers
11 concrete injury due to emotional distress, financial impact, and denial of equal
12 opportunity for his children.

13 14. Nan suffered a direct financial injury in the form of non-refundable application
14 fees paid to institutions that engaged in discriminatory practices. These are
15 concrete, personal financial losses—not merely generalized grievances. Directly
16 attributable to the discriminatory policies and programs of UW, these losses
17 further support Nan’s individual standing to bring this claim.

18 15. Nan also faces imminent harm in the form of non-refundable application fees for
19 his Minor Son. This prospective injury—directly traceable to the discriminatory
20 policies and programs of UW—further establishes his individual standing to seek
21 forward-looking relief, as recognized by the Supreme Court in *Gratz v. Bollinger*
22 and *Northeastern Fla. Chapter*.

1 16. Stanley and Nan reached out to multiple legal resources and entities for
2 representation. However, these entities either declined to take the case or failed
3 to respond. Consequently, Stanley and Nan are compelled to represent
4 themselves as pro se litigants.

5 **B. Defendants**

6 17. Defendant the Regents of the University of Washington is a non-profit
7 educational institution organized under the laws of the state of Washington.
8 Collectively, they are the governing board of UW. Each regent is sued in their
9 official capacity.

10 18. Defendant the University of Washington is a public educational institution and a
11 recipient of federal financial assistance, subject to Title VI of the Civil Rights Act
12 of 1964. The University's undergraduate admissions office, operating under the
13 direction of senior administrators and the Regents, is directly responsible for
14 implementing the discriminatory policies and practices challenged in this action.

15 19. Defendant Ana Mari Cauce is the President of the University of Washington
16 during the relevant admissions cycles and currently exercises authority over the
17 University's operations and enforcement of admissions policies. She repeatedly
18 issued statements opposing equal treatment regardless of race mandated by
19 I-200, which Plaintiffs allege contributed to a culture of noncompliance within UW.
20 As the top administration, her statements reflect UW's institutional commitment to
21 racial preferences in violation of federal and state law. She is sued in her
22 personal and official capacities.

1 20. Defendant Paul Seegert is the Director of Admissions at the University of
2 Washington. In this capacity, he oversees admissions policies and practices
3 systemwide and has ultimate authority over the implementation of UW's "holistic
4 review" framework. His office approved and enforced admissions practices that
5 systematically disadvantaged Asian-American applicants such as Stanley Zhong.
6 He is sued in his personal and official capacities.

7 21. Defendant Magdalena Balazinska is the Chair of the Paul G. Allen School of
8 Computer Science & Engineering at the University of Washington. In that role,
9 she oversees the Allen School's admissions and related policies. When
10 presented with evidence of Allen School's 15% enrollment target for certain racial
11 groups, instead of actually addressing the problem, she covered it up by claiming
12 Allen School does not use race as a factor in its admissions. She is sued in her
13 personal and official capacities.

14 22. Defendant Tadayoshi Kohno is the Allen School's Associate Director for DEIA
15 (Diversity, Equity, Inclusion & Access). He co-led the creation of the Allen
16 School's *5-year Strategic Plan for Diversity, Equity, Inclusion, and Access*, which
17 set the 15% enrollment target for certain racial groups in clear violation of laws.
18 He is sued in his personal and official capacities.

19 23. Defendant Chloe Dolese Mandeville is the Allen School's Assistant Director for
20 Diversity & Access. She co-led the creation of the Allen School's *5-year Strategic*
21 *Plan for Diversity, Equity, Inclusion, and Access*, which set the 15% enrollment
22 target for certain racial groups in clear violation of laws. According to Defendant
23 Tadayoshi Kohno himself, "In summer 2020 Chloe and I started working on a

1 [5-year strategic plan](#) to guide our DEIA work.” She is sued in her personal and
2 official capacities.

3 **III. JURISDICTION AND VENUE**

4 24. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1331, as the
5 claims arise under the Constitution and laws of the United States. The Court also
6 has jurisdiction under 28 U.S.C. § 1343(a)(3) because Plaintiffs seek to redress
7 the deprivation of civil rights under color of state law.

8 25. The Court has supplemental jurisdiction over Plaintiffs’ state-law
9 claims—including the claim under RCW 49.60.400—pursuant to 28 U.S.C. §
10 1367, because those claims form part of the same case or controversy as the
11 federal claims. Plaintiffs further seek declaratory relief under 28 U.S.C. §§
12 2201–2202.

13 26. Venue is proper for Defendant UW because a substantial part of the events or
14 omissions giving rise to the claim occurred, and will occur, in this judicial district
15 and division. See 28 U.S.C. § 1391(b)(2). Venue is additionally proper because
16 at least one of the defendants resides in this judicial district and division and all
17 the defendants associated with UW reside in Washington. See 28 U.S.C. §
18 1391(b)(1).

1 IV. FACTUAL ALLEGATIONS

2 A. The Legacy of Anti–Asian Discrimination and Widespread Culture of Anti-Asian 3 Discrimination at Elite Universities

4 27. The Zhongs belong to an oppressed minority given the history of the United
5 States. Asian Americans have long faced systemic exclusion and discrimination
6 in the United States. The Chinese Exclusion Act of 1882 barred Chinese
7 immigrants from entering the country or obtaining citizenship—a policy so
8 discriminatory that Congress formally apologized in 2012. Other Asian
9 communities have faced similar patterns of xenophobia, violence, and exclusion
10 throughout U.S. history. During World War II, over 120,000 Japanese Americans
11 were forcibly incarcerated based solely on their ancestry.

12 28. In recent decades, UW along with this nation’s most elite educational institutions
13 has continued this sad history. These institutions of higher education, including
14 UW, subject Asian Americans to a quiet but no less insidious form of
15 discrimination. Cloaked in the language of “affirmative action” and “holistic
16 review,” UW and other institutions of higher education hold Asian American
17 applicants to higher standards than applicants of other races, penalizing Asian
18 applicants specifically because they were born with the wrong skin color.

19 29. Across the country, defenders of race-conscious admissions have downplayed or
20 outright denied the existence of anti–Asian American discrimination. These
21 denials, however, are untenable. Within the world of college admissions,
22 discrimination against Asian Americans has become the worst-kept secret:
23 admissions officers, consultants, and students alike understand that being Asian

1 is a major disadvantage because these institutions discriminate on the basis of
2 race behind closed doors.

3 30. A 2016 national survey revealed that fully 42% of private college admissions
4 officers and 39% of their public counterparts acknowledged that Asian American
5 applicants are held to higher standards than students of other races. Studies
6 suggest that privileged, wealthy African American applicants are admitted at
7 significantly higher rates than low-income, underprivileged Asian American
8 applicants with identical academic credentials. If affirmative action were truly
9 about leveling the playing field, this outcome is indefensible.

10 31. Together with many elite universities, Harvard openly gave preferential treatment
11 to some racial groups at the expense of Asian-American applicants until its
12 practice was ruled illegal by the Supreme Court in *SFFA v. Harvard* in 2023.
13 Notably, following the Supreme Court's ruling in *SFFA*, not a single Harvard
14 administrator apologized for the harm their policies inflicted on Asian-American
15 applicants.

16 32. In the first admissions cycle after the Supreme Court's decision in *SFFA*, Asian
17 American enrollment at several elite universities surged dramatically. At the
18 Massachusetts Institute of Technology (MIT), Asian enrollment rose from 40% to
19 47%, while Columbia University saw an increase from 30% to 39%. These
20 striking changes—occurring in a single year—far exceed what could be attributed
21 to the limited use of race as a “plus factor” under *Grutter v. Bollinger*, and instead
22 point to the prior, unlawful suppression of qualified Asian American applicants in
23 the name of promoting diversity.

1 33. Historical evidence suggests that elite universities were aware of such
2 discriminatory practices but chose to ignore or deny them until forced to respond
3 to legal scrutiny. In 2006, Asian American applicant Jian Li filed a formal
4 complaint against Princeton University, alleging racial discrimination in
5 admissions. In the years following, Princeton's Asian American admit rate rose
6 from 14.7% in 2007 to 25.4% in 2014. Similarly, after SFFA filed suit against
7 Harvard in 2015, Harvard's Asian American admit rate increased from 17% in
8 2014 to 22% in 2016, after remaining flat for years. By 2024, that number had
9 climbed to 37%.

10 34. These patterns demonstrate a troubling reality: elite institutions were fully
11 capable of admitting more Asian American students without any meaningful
12 change in the quality of applicants. The only change was legal
13 pressure—confirming that Asian American applicants had long been
14 disadvantaged by covert, race-conscious policies that prioritized demographic
15 targets over merit.

16 **A.1. Parallel Situation at the University of California**

17 35. Since the voters passed Proposition 209 in California in 1996 and Initiative 200 in
18 Washington in 1998, both the University of California (UC) and UW have been
19 prohibited by state laws from using racial preferences for decades. Nevertheless,
20 both institutions disagreed with the Supreme Court's ruling in *SFFA v. Harvard*,
21 implying their desire to circumvent the ban. UC's actions strongly suggest how
22 UW may be operating.

1 36. Every UC campus is actively pursuing a goal of at least 25% Hispanic
2 enrollment.

3 37. In 2003, Mr. John Moores, then-chairman of UC Board of Regents, accused UC's
4 flagship campus of "blatantly" discriminating against Asian Americans.

5 38. UCLA and UC Berkeley rejected Stanley Park, a Korean American student who
6 faced serious adversity (single immigrant parent with cancer and no college
7 degree), while accepting non-Asian students with SAT scores 520 points lower.

8 39. After the adoption of "holistic review" around 2007, UC deliberately discontinued
9 public-facing websites with admissions data.

10 40. As documented by Professor Tim Groseclose in a detailed study of UCLA
11 admissions, the switch to "holistic" review was adopted explicitly to increase
12 enrollment of so-called "underrepresented minorities," at the expense of more
13 qualified Asian American applicants.

14 41. UCLA sociology professor Robert Mare [documented](#) a consistent pattern of
15 anti-Asian discrimination in admissions at UCLA.

16 42. After Dr. Jennifer Lucero took over UCLA medical school admissions in June
17 2020, the number of Asian matriculants at UCLA medical school declined from
18 84 to 55 from 2019 through 2022, a drop of 35%.

19 43. According to whistleblowers with direct knowledge, the admissions committee at
20 UCLA's medical school routinely and openly discusses applicants' race—or racial
21 proxies—and uses race as a factor in admissions decisions.

1 44. The California State Auditor’s 2020 [report](#) found UC Berkeley and UCLA
2 “admitted thousands of applicants whose records demonstrated that they were
3 less qualified than other applicants who were denied admission.”

4 45. In an extraordinary public admission, UC Berkeley Law School Dean Erwin
5 Chemerinsky said the quiet part out loud. In a public [talk](#) to a large audience, Mr.
6 Chemerinsky admitted that his school systematically considers race in its internal
7 decision-making and **actively conceals this practice**. These comments
8 —caught on video—confirm that UC clings to racial preferences, but has just
9 evolved ever more elusive ways of doing so.

10 46. In November 2022, Mr. Erwin Chemerinsky said in a media interview:

11 “What colleges and universities will need to do after affirmative action is
12 eliminated is find ways to achieve diversity that **can’t be documented** as
13 violating the Constitution ... But they can use proxies for race.” (Emphasis
14 added.)

15 47. At a legal conference convened after the Supreme Court’s decision in *SFFA*, Mr.
16 Erwin Chemerinsky moderated a panel discussion featuring Timothy Lynch,
17 General Counsel of the University of Michigan, and Kevin R. Johnson, Dean of
18 UC Davis School of Law. When attendees expressed concern about the legality
19 of certain proposed strategies in light of the Court’s ruling, Mr. Lynch emphasized
20 the importance of maintaining plausible deniability, cautioning: “You should be
21 aware right now of the record you’re creating ... What are your faculty saying in

1 emails? What are they saying in public?" Note that the University of Michigan has
2 also been prohibited by state laws from using racial preferences since 2006.

3 48. In another exchange regarding how plaintiffs often seek to uncover evidence of
4 discriminatory intent, the panelists stated the following:

5 Lynch: "The key question in terms of creating the record is what can you say
6 right now is the race-neutral explanation for doing it, and how do you avoid
7 having your faculty colleagues muddy the record."

8 Chemerinsky: "Great point."

9 Johnson: "I think Tim offered a lot of sound advice. ... In fact—and I won't
10 name the president of the University of California's name who said this—
11 she said that if we weren't getting sued for our efforts at outreach, we
12 weren't doing enough in terms of our admissions procedures and process."

13 49. Senior university administrators not only preach and practice "unstated
14 Affirmative Action", they also actively [persecute](#) those who advocate for
15 academic excellence over identity politics. This was exemplified by the case of
16 Professor Perry Link at UC Riverside, who from 2022 to 2024 faced retaliation for
17 advocating academic excellence over racial preferences.

18 **B. Asian Americans Are Acutely Aware of the Discrimination**

19 50. As documented in the [SFFA's legal complaint](#) against Harvard (page 60),
20 Asian-American applicants and their families know that they are being
21 discriminated against by elite universities.

1 51. Asian American students like Stanley and prospective applicants like the Minor

2 Son have long internalized the unspoken rules of an admissions game that is

3 rigged against them. They resort to downplaying their achievements and

4 interests in math and science (or chess). They avoid mention of bilingual

5 households, or they omit involvement in Asian cultural organizations. It is well

6 documented that many Asian-American applicants attempt to appear “less Asian”

7 on their college applications to escape the penalty for their racial identity.

8 52. These learned behaviors are passed down from older students, for example from

9 Stanley to Minor Son. Guidance counselors and even college admissions

10 consultants also communicate to Stanley, Minor Son, and other Asian American

11 students the harsh reality that Asian identity is a liability. This racial double

12 standard is common knowledge, a moral stain on our educational institutions,

13 and a direct violation of the American compact that all Americans are entitled to

14 their civil rights.

15 53. No student in America should be compelled, as do Stanley and the Minor Son, to

16 obscure their heritage or downplay their authentic achievements out of fear that

17 their racial identity will count against them.

18 **C. Extraordinary Qualifications of Stanley Zhong**

19 54. It is against this backdrop that Stanley faced the admissions process. Stanley is

20 not merely a qualified applicant—he is, by any objective measure, among the top

21 college applicants in the country.

22 55. Stanley Zhong attended Henry M. Gunn High School, ranked #14 in California by

23 U.S. News & World Report and the #1 best public high school in the San

1 Francisco Bay Area according to Niche. Within this competitive setting, Stanley
2 still stood head and shoulders above his peers. He distinguished himself as a
3 National Merit Scholarship finalist. Although Stanley's high school does not
4 publish individual student rankings based on grade point average, he is
5 confirmed to be *at least* within the top 9% of his class, as he qualified for the
6 University of California's "Eligibility in the Local Context" (ELC). ELC guarantees
7 admission to a UC campus for California high school students who rank in the
8 top 9% of their class, as determined by their GPA in UC-approved coursework
9 completed in the 10th and 11th grades. In fact, UC Merced offered him admission
10 even though he did not apply.

11 56. He achieved a perfect PSAT score without any preparation and went on to score
12 1590 out of 1600 on the SAT, after just a few nights of self-study and without any
13 paid tutoring or test prep.

14 57. Stanley's high school grade point average was 3.97 (unweighted) and 4.42
15 (weighted).

16 58. Stanley's excellence extended well beyond the classroom. He took on leadership
17 roles in a variety of academic and volunteer organizations. While still in high
18 school, he co-founded and served as the 2nd president of [OpenBrackets](#), a
19 nonprofit run by high schoolers that delivered free coding lessons to more than
20 500 students in underserved communities across California, Washington, and
21 Texas. It received positive feedback from Stackoverflow co-founder Mr. Jeff
22 Atwood. For this work, Stanley was awarded the President's Volunteer Service

1 Award at its highest level. He also co-founded and led his school's competitive
2 programming club.

3 59. Mr. Josh Paley, Stanley's high school Computer Science teacher, has offered to
4 testify as a character witness.

5 60. Stanley is a self-taught programmer whose extraordinary talent has earned him
6 top honors in some of the world's most competitive coding contests—often
7 outperforming industry professionals.

8 61. Stanley placed 2nd in Carnegie Mellon's picoCTF cybersecurity challenge and
9 was invited to CMU with expenses paid, took 6th in Stanford's ProCo, and
10 reached the elite Platinum Division of the USA Computing Olympiad. Twice, he
11 placed 2nd globally (2nd and 1st in the U.S., respectively) in MIT's Battlecode
12 high school division, qualifying for invitations to MIT with expenses paid.
13 (Unfortunately, one of those trips didn't happen due to COVID.) He also ranked
14 among the top 500 globally in both Google Code Jam (427th) and Meta Hacker
15 Cup (329th) —competitions dominated by seasoned software professionals from
16 around the world.

17 62. His skill was so advanced that in 2019, Google invited him for a full-time software
18 engineer interview, unaware he was only 13 years old; the interview was
19 canceled only after his age came to light because minors can't sign Google's
20 employment agreement.

21 63. Stanley repeatedly demonstrated extraordinary initiative far beyond his years.
22 After reading an NPR story in April 2020 about state unemployment systems

1 buckling under COVID-related demand due to outdated COBOL infrastructure,
2 Stanley independently taught himself COBOL, published sample code to GitHub,
3 and volunteered his help to the "COBOL Cowboys" featured in the
4 article—earning a personal phone call and words of encouragement from their
5 CEO.

6 64. Frustrated by the lack of free e-signature tools during the pandemic, in 2021,
7 Stanley launched RabbitSign, the world's only unlimited free e-signature service
8 with SOC 2, ISO 27001 and HIPAA compliance included. Built by Stanley on
9 Amazon Web Services, RabbitSign was so secure and well-architected that AWS
10 called it "one of the most efficient and secure" applications they had reviewed
11 and decided to feature it in a case study—a prestigious recognition that is
12 notoriously difficult to attain, even for seasoned professionals. Stanley's
13 innovation drew national attention: RabbitSign was spotlighted on [Viewpoint with](#)
14 [Dennis Quaid](#)—a program that has previously interviewed Fortune 500 CEOs
15 and U.S. presidents—for its potential to help reduce healthcare costs through
16 accessible, secure digital tools.

17 65. Stanley's college application essay, substantially reflected in the *Viewpoint*
18 interview referenced above, recounted his motivation for creating RabbitSign, a
19 free HIPAA-compliant e-signing platform designed to help reduce America's
20 healthcare costs. He described how he overcame repeated rejections to
21 eventually partner with a mission-aligned organization and launch RabbitSign as
22 the first Activism Corporation—an innovative model aimed at tackling corporate

1 greed using free market forces. A nearly identical version of this essay helped
2 advance him from a National Merit Scholarship semifinalist to a finalist.

3 66. Just before his 18th birthday, Stanley underwent one of the most rigorous and
4 objective evaluations available in the modern labor market: Google's full-time
5 software engineer interview process. Five randomly assigned professionally
6 trained Google engineers assessed Stanley, devoting over ten hours to
7 evaluating his technical skills, communication abilities, and teamwork—precisely
8 the traits elite universities purport to assess through “holistic” admissions.

9 67. Importantly, the structure of Google's process eliminates any risk of favoritism:
10 interviewers are randomly assigned, shielded from outside influence, and
11 incentivized to avoid inflating evaluations, as doing so could lead to internal
12 compensation disparities.

13 68. Mr. Dan Bloomberg, a longtime Google employee who served on Google's hiring
14 committees for 18 years, has agreed to testify about Google's interview process.

15 69. Based solely on their independent assessments, the Google engineers
16 recommended Stanley for an L4 software engineer role, a position typically
17 reserved for candidates with a Ph.D. or equivalent industry experience. Google
18 extended the offer in September 2023, just after Stanley's 18th birthday.

19 70. Stanley's full-year job performance evaluation in January 2025 confirmed the
20 wisdom of Google's decision: Stanley met all expectations and demonstrated
21 strong potential for continued growth. That Google—an employer with far more
22 applicants than even the most competitive universities—recognized Stanley as

1 qualified for a postdoctoral-level role, while UW deemed him unworthy of
2 undergraduate admission, provides compelling circumstantial evidence of the
3 discriminatory standards UW applies to Asian American applicants.

4 **D. Stanley Applied on Merit—UW Rejected on Race**

5 71. For enrollment in Fall 2023, Stanley applied to the undergraduate programs at
6 UW Seattle. His first-choice major was Computer Science in the College of Arts
7 & Science, Allen School. His second-choice major was Human Centered Design
8 and Engineering in the College of Engineering.

9 72. Like many Asian American candidates for admission, Stanley naively dared to
10 hope that, despite the well-known barriers facing applicants who look like him, his
11 individual merit might still prevail. That maybe, just maybe, UW would look past
12 his race.

13 73. Unfortunately, like too many Asian American students, he learned that it would
14 not. Despite extraordinary academic credentials, internationally recognized
15 accomplishments, his application to UW was rejected.

16 74. Stanley's story was cited in a congressional hearing in September 2023, and
17 reported in national news.

18 75. After Stanley's story first hit the news in October 2023, multiple independent
19 college admissions experts and counselors (unconnected to UW) reviewed
20 Stanley's application materials, including his essay. Tellingly, not one of these
21 experts could identify a legitimate, performance-based reason why Stanley would

1 have been rejected by a school of UW's caliber. Some of them have offered to
2 testify as expert witnesses when this lawsuit proceeds to trial. By all objective
3 indicators, Stanley appeared to be the kind of candidate any top university would
4 eagerly admit. The absence of any apparent, merit-based explanation for this
5 "bizarre" result raises a strong inference that Stanley's race played a role in UW's
6 decision. There is no other explanation.

7 76. The rejection by UW defies common sense and contradicts expert assessments
8 of his application. As the Supreme Court noted in *Miller v. Johnson*, 515 U.S.
9 900, 901 (1995), "bizarreness" can serve as "persuasive circumstantial evidence
10 that race for its own sake ... was a legislature's dominant and controlling
11 rationale." Similarly, the stark disparity between Stanley's qualifications and the
12 UW campuses' admissions decisions raises serious concerns about the role of
13 race in UW's admissions process. This striking incongruity strongly suggests that
14 UW's admissions policies are being applied in a discriminatory fashion.

15 77. Stanley was denied the opportunity to compete for admission to UW on equal
16 footing with other applicants on the basis of race or ethnicity due to UW's
17 discriminatory admissions policies and practices.

18 78. Stanley is ready and able to apply to UW when it ceases its intentional
19 discrimination against Asian Americans.

20 79. As a result of the unlawful discrimination, Stanley Zhong has suffered significant
21 harm, including but not limited to the loss of educational opportunities,

1 reputational damage, and emotional distress. Plaintiffs seek all available legal
2 and equitable relief to remedy these injuries.

3 **E. UW's Motive and Intent to Racial Balance its Student Body and its Enduring**
4 **Commitment to Racial Engineering**

5 80. For decades, UW openly defended and advocated for race-conscious
6 admissions policies as central to its institutional mission.

7 81. In 1998, Washington voters approved Initiative 200 (I-200), a state law prohibiting
8 discrimination against or preferential treatment for any individual or group based
9 on race in public education. The measure closely aligns with the principles of the
10 Fourteenth Amendment's Equal Protection Clause. In response, then–University
11 of Washington President Richard L. McCormick lamented the initiative's passage,
12 stating: “The recent passage of Initiative 200 has deprived us of a tool that has
13 been useful in promoting diversity for decades.” He further affirmed: “Diversity is
14 a critically important value to the educational mission of the University of
15 Washington.”

16 82. In a 2000 [interview](#) with *University of Washington Magazine*, President
17 McCormick reaffirmed his longstanding opposition to Initiative 200, stating: “*I*
18 *doubt that we will ever look back at the passage of I-200 as a good thing.*” He
19 further remarked: “*That was unfortunate. Initiative 200 brought, as we anticipated*
20 *it would, a significant decline in the diversity of the freshman class we enrolled in*
21 *1999 ... It would be very heartening if we turned the corner and **restored at least***
22 ***some of the loss** we experienced in 1999.*” (Emphasis added.) The latter

1 statement reveals a strong institutional desire to **restore racial composition in**
2 **enrollment**, even decades after voters and the law prohibited such
3 practices—reflecting a clear intent to racially engineer UW’s student body in
4 defiance of constitutional and statutory constraints.

5 83. According to *University of Washington Magazine*, in 1997—just before the
6 passage of Initiative 200—the UW student body was 27 percent minority,
7 compared to only 17 percent of the state population. Despite this, President
8 McCormick insisted that the university was not doing enough to enroll minority
9 students. A closer look reveals the real reason for this narrative: **Asian**
10 **Americans were enrolling at UW in far greater numbers than their share of**
11 **the state population.** At the time, Asian Americans made up 19 percent of the
12 UW student body, yet only 6 percent of the state’s population, according to
13 census figures. When Asian American students are removed from the
14 calculation, Black, Hispanic, and Native American students together comprised
15 only 8 percent of the UW student body—compared to 11 percent in the state
16 overall. These figures suggest that the administration’s concern about “declining
17 diversity” was not based on a genuine lack of minority enrollment, but rather on a
18 **desire to reengineer the racial balance** by reducing Asian American
19 representation in favor of other racial groups, in clear tension with the principles
20 of equal protection and the text of I-200.

21 84. On May 17, 1999, [UW News](#) reported the results of the University of
22 Washington’s first admissions cycle following the enactment of Initiative 200. The
23 data revealed a 32% decline in admissions offers to African American applicants,

1 a 14% decline for American Indian applicants, and a 17% decline for
2 Hispanic/Latino applicants. In contrast, offers to Asian American applicants
3 **increased by 10%**. In response, President McCormick stated:

4 We are very disappointed by this outcome for 1999, and we are committed
5 to moving these numbers back up in the years ahead. Maintaining diversity
6 on our campus is going to be a long-term challenge. The UW is determined
7 to admit a diverse student body, and we will do so through expanded
8 outreach to middle and high schools, by raising more scholarship funds, and
9 by further revisions to our admissions policies. These efforts may take a few
10 years to **produce the kind of results we want**, but we are going to make
11 them work. (Emphasis added.)

12 President McCormick's remarks make clear that UW administrators were
13 dissatisfied with an admissions outcome that, while race-neutral in compliance
14 with I-200, produced increased Asian American enrollment and reduced
15 representation from other racial groups. The phrase "results we want"
16 unmistakably signals **a predetermined racial outcome**—a desire to restore the
17 racial balance that existed prior to I-200. The fact that increased Asian American
18 representation coincided with public disappointment at the university's highest
19 levels supports the inference that UW's concept of "diversity" implicitly excluded
20 Asian Americans, and that subsequent changes in outreach and admissions
21 policy were undertaken **with racial balancing as the intended result**.

22 85. On December 3, 1998, shortly after the passage of Initiative 200, President
23 McCormick issued a public [statement](#) reaffirming the University's commitment to

1 racial diversity. He declared: *“Administrators and faculty are hard at work revising*
2 *University admissions criteria so that the classes we admit will still **reflect the***
3 ***diversity of our society** ... we are committed to doing everything within our*
4 *power to achieve this result.”* (Emphasis added.)

5 86. This official statement by UW’s highest-ranking administrator openly advocates
6 for aligning the racial composition of incoming classes with that of the broader
7 population—effectively endorsing **proportional racial representation** as a
8 guiding admissions objective. Such a goal is constitutionally impermissible.
9 President McCormick’s remarks reveal not only the University’s intent to preserve
10 race-conscious outcomes despite I-200’s legal mandate, but also a willingness to
11 revise admissions criteria to achieve those outcomes—raising serious questions
12 under both state and federal law.

13 87. Ironically, despite UW’s fervent rhetoric about promoting “diversity,” the institution
14 has shown hostility toward **diversity of thought**. In 2022, the Foundation for
15 Individual Rights and Expression (FIRE)—a nationally respected nonpartisan
16 organization—ranked UW as the **lowest-rated public university in the country**
17 for freedom of speech and expression. One notable example involved Professor
18 Stuart Reges of the Computer Science Department, who publicly criticized the
19 university’s land acknowledgment statements as performative virtue signaling. In
20 response, UW administrators took disciplinary action against him, prompting
21 Professor Reges to file a federal lawsuit alleging violations of his First
22 Amendment rights. This incident underscores a troubling reality: while UW

1 champions diversity in theory, it appears far less tolerant of dissenting viewpoints
2 that challenge prevailing campus orthodoxy.

3 88. During oral argument in *SFFA v. University of North Carolina*, Justice Clarence
4 Thomas remarked, *“I’ve heard the word ‘diversity’ quite a few times, and I don’t*
5 *have a clue what it means.”* His comment reflects the growing skepticism—both
6 judicial and public—toward the vague and often inconsistent ways in which
7 universities invoke “diversity” to justify their policies.

8 89. At the University of Washington, the word “diversity” clearly functions as a **proxy**
9 **for race**. Former UW President Richard McCormick’s repeated public statements
10 reveal that UW interpreted the passage of Initiative 200—which banned racial
11 preferences in public education—as a serious setback precisely because it
12 impeded the University’s ability to shape the racial composition of its student
13 body. It is apparent from his comments that UW viewed I-200 negatively not
14 because it limited educational excellence or freedom, but because it prevented
15 racial engineering of enrollment numbers.

16 90. A few things become undeniable from President McCormick’s remarks and UW’s
17 institutional conduct:

18 a. Whatever UW says about “diversity,” what UW actually means is
19 **race**—specifically, racial balancing.

20 b. UW strongly opposes I-200 because it **restricts the University’s ability**
21 **to consider race in admissions.**

1 c. Asian Americans, despite being a racial minority, **do not count in UW's**
2 **definition of underrepresented minorities.**

3 d. When Asian American enrollment increases, UW expresses
4 disappointment; when it decreases, the University describes it as progress
5 toward "diversity."

6 e. UW's commitment to achieving certain demographic outcomes is
7 unwavering—**its racial targets are non-negotiable.**

8 91. The university's rhetoric about "educational benefits of diversity" is increasingly
9 unconvincing and appears to be a **subterfuge for racial preferences**. This is
10 underscored by UW's own Title VI [website](#), which gives the following example of
11 conduct that might create a hostile environment:

12 An international student is repeatedly singled out by a professor to answer
13 questions about the student's country of origin and ethnic identity, which the
14 student feels compelled to answer. As a result, other students tease and
15 make jokes directed at that student both in class and outside of class.

16 While UW claims to value diversity in the classroom for its supposed educational
17 benefits, this example illustrates that forcing students to speak about their ethnic
18 identity can, in fact, be alienating and stigmatizing—especially when it treats
19 students as representatives of their racial or national group. Far from enhancing
20 education, such practices undermine individual dignity and create division, further
21 demonstrating the incoherence of UW's diversity rationale.

1 92. Since the passage of Initiative 200 in 1998, UW has spent decades working to
2 circumvent, undermine, and ultimately reverse prohibitions on race-based
3 preferences. That long-standing institutional commitment to racial preferences
4 was on full display in 2019, when UW publicly supported Initiative 1000 (I-1000),
5 a legislative effort to repeal I-200 and reauthorize racial preferences in public
6 education. The University again revealed its position in 2023, when it openly
7 objected to the Supreme Court's decision in *SFFA*. In both instances, UW made
8 clear that it remains deeply committed to using race as a factor in admissions,
9 regardless of constitutional constraints or the will of Washington voters.

10 93. In an effort to repeal Initiative 200, UW President Ana Mari Cauce sent a [letter](#) to
11 the Washington State Legislature on January 24, 2018, urging support for
12 Initiative 1000. In her letter, she lamented the impact of I-200 on the University's
13 ability to compete for certain students, writing: *"These talented and promising*
14 *students are especially targeted and heavily recruited by private universities, as*
15 *well as public universities in other states, and when they leave our state to attend*
16 *college, they are less likely to return."* The message was clear: UW viewed the
17 legal restriction on race-based admissions as a competitive disadvantage and
18 sought legislative action to restore its ability to **use race as a factor in**
19 admissions decisions—further confirming its institutional commitment to racial
20 preferences over race-neutral policies.

21 94. In April 2019, the Washington state legislature passed I-1000. It was scheduled
22 to take effect in July unless it was sent to the voters as a referendum. UW

embraced I-1000 enthusiastically. On June 20, 2019, UW President Ana Mari Cauce published a [statement](#) in the UW Presidential Blog, writing:

I am on the record supporting this change in the law ... we are still not a country where we judge people simply by the “content of their character.”

It is self-contradictory that judging people by the “content of their character” somehow requires classifying them by their race. This turns equal protection on its head and reveals the extent to which UW has (unfortunately) come to view race as a defining feature of personhood. President Cauce continued:

I-1000 is not about quotas, which I would never endorse or support. It is about leveling the playing field so that we can better compete in admission and hiring with top public universities and private universities, around the country and right here in our state.

Effectively, she argued that because other universities are permitted to engage in race-conscious decision-making, UW must be allowed to do the same to remain competitive. But this rationale ignores a fundamental legal principle: both federal and state laws prohibit racial discrimination and require that individuals be treated equally, without regard to race. President Cauce’s concept of “leveling the playing field” applied to institutions, not to applicants—and her statement failed to acknowledge the inequality imposed on those who would be disadvantaged by race-based preferences.

95. On August 1, 2023, following the Supreme Court’s ruling in *SFFA v. Harvard*, UW published a blog post on its official Presidential Blog titled “*Affirmative action*

1 *ruling won't change our values or our mission.*" The statement, attributed to
2 President Ana Mari Cauce, expressed clear dissatisfaction with the Court's ruling:

3 [The decision] created much disappointment and concern ... We remain
4 wholeheartedly committed to our values and conviction that diversity, equity
5 and belonging are intrinsic requirements for educational success and for the
6 success of our society.

7 This statement from the University's highest-ranking official openly signaled UW's
8 continued desire to prioritize race and other identity-based factors in admissions,
9 notwithstanding the Supreme Court's unambiguous rejection of such practices
10 under the Equal Protection Clause and Title VI. It is a direct expression of **racial**
11 **intent by a final policymaker**, and thus highly probative under *Arlington*
12 *Heights*.

13 One might have hoped that a great university would welcome the restoration of
14 merit-based, equal treatment. Instead, UW's chief decision-maker expressed
15 "disappointment and concern" that the University could no longer use race as a
16 basis for selecting students—revealing a deep institutional resistance to
17 constitutional equality and a preference for race-based decision-making.

18 96. When viewed alongside President Cauce's prior statements in support of
19 Initiative 1000, her reaction to the Supreme Court's ruling in *SFFA v. Harvard*
20 reveals a troubling inconsistency. In 2018 and 2019, she justified her
21 endorsement of I-1000 by claiming it was necessary to "level the playing field" so
22 that the University of Washington could compete with other institutions that were

1 permitted to consider race. Yet in 2023, when the Supreme Court actually leveled
2 the playing field by prohibiting all universities from using race in admissions,
3 President Cauce expressed disappointment and concern. This contradiction
4 suggests that her support for I-1000 was never truly about fairness or
5 competitiveness—it was always about **restoring UW’s ability to engage in**
6 **racial preferences.**

7 97. At UW, “diversity” has become a euphemism for racial engineering—no longer
8 about the broad inclusion of talent or perspectives, but rather a justification for
9 denying opportunity to applicants who do not fit the University’s preferred
10 demographic profile. Chief among those disadvantaged are Asian Americans,
11 who, despite being a federally recognized minority group and consistently
12 overqualified, are excluded from UW’s concept of underrepresentation and
13 routinely passed over in pursuit of “ethnic diversity.”

14 98. UW’s persistent efforts to evade legal restrictions on racial preferences—from its
15 promotion of I-1000, to its opposition to the *SFFA* ruling, to its conduct since
16 I-200—expose a deeply entrenched institutional bias. Its disparate treatment of
17 Asian American applicants is no accident; it reflects a deliberate pattern in which
18 Asian Americans are excluded from diversity initiatives and held to higher
19 standards. When given the choice between race-neutral equal treatment and
20 race-conscious admissions, UW consistently opts for the latter—even at the cost
21 of discriminating against more qualified Asian American students.

22 99. By defending racial criteria, expressing dissatisfaction with race-neutral
23 outcomes, and elevating “diversity” as a non-negotiable institutional priority, UW

1 has revealed its intent to maintain racial preferences in defiance of constitutional
2 and statutory mandates. The result is a system in which high-achieving Asian
3 American applicants like Stanley and Minor Son are systematically
4 penalized—not for lack of merit, but for being “overrepresented” by UW’s
5 preferred racial metrics.

6 100. The macro-level political environment in Washington State has undoubtedly
7 enabled and encouraged UW’s discriminatory practices in admissions. In January
8 2022, Governor Jay Inslee issued Executive Order [22-02](#), which rescinded
9 Executive Order 98-01—the prior directive implementing Initiative 200’s ban on
10 racial preferences. In its place, EO 22-02 instructed the Washington Student
11 Achievement Council (WSAC) to produce a report analyzing disparities in higher
12 education outcomes across racial and ethnic groups, including the “equity
13 demographics” of faculty and staff, and the “progress of existing programs
14 designed to identify and remedy discrimination.”

15 101. In its 2026 Strategic Action Plan, WSAC made its position explicit:

16 One sign of inequity is the racial distribution of students at public high
17 schools compared to public postsecondary institutions. In Washington, the
18 racial demographic makeup of public high schools is different than public
19 higher education in the state. For instance, Hispanic or Latino students
20 make up over a quarter of the public high school population but account for
21 12 to 14 percent of the public higher education population. Ensuring racial
22 equity in our state requires that our higher education system reflects the
23 diversity of our population.

1 This statement strongly implies that WSAC views any racial disparity between
2 high school and college enrollment as a problem to be “fixed” through
3 demographic manipulation. At UW, where Asian American students are
4 overrepresented relative to their share of the general population—and where
5 Hispanic representation is lower—it is not difficult to infer that “equity” initiatives
6 will seek to reduce Asian American enrollment in favor of increasing Hispanic
7 enrollment, irrespective of academic merit.

8 102. If racial balancing is the standard, then by WSAC’s logic, every divergence in
9 racial distribution—between elementary and middle schools, between regions,
10 between departments within a university—must be corrected until racial
11 composition is uniform everywhere. That is not only absurd in principle, it is
12 unconstitutional in law.

13 103. The fundamental flaw in this thinking lies in equating disparity with
14 discrimination, and statistical underrepresentation with injustice. If that standard
15 were applied consistently, one might demand that 7.2% of NFL players be Asian
16 Americans, since Asian Americans make up 7.2% of the U.S. population. Yet no
17 one sues the NFL for racial discrimination, because it is understood that
18 representation in professional sports reflects differences in talent and
19 interest—not discrimination.

20 104. Conversely, while Asian Americans are statistically overrepresented on
21 college campuses, this is a reflection of academic excellence, not privilege or
22 favoritism. Rejecting more qualified Asian American applicants to admit others
23 with lower qualifications—solely to balance racial statistics—is not only unfair, it

1 is unconstitutional. As the Supreme Court has repeatedly affirmed, the
2 Constitution protects individuals, not groups. In college admissions, it is the
3 individual applicant's merit and achievement, not skin color, that must be the
4 basis for judgment.

5 **F. UW's Action for Racial Balancing its Student Body**

6 105. In addition to its evident motive and intent to engage in racial balancing, the
7 University of Washington also possesses the means and opportunity to
8 manipulate the racial composition of its student body through its current "holistic"
9 admissions process. This framework—lacking transparency, third-party oversight,
10 or enforceable accountability—provides ample discretion to prioritize race behind
11 closed doors while maintaining public deniability. In practice, UW's stated intent is
12 matched by its actions. The convergence of motive, means, and opportunity
13 establishes a compelling inference of intentional and systemic racial
14 discrimination.

15 106. In or around Fall 2021, the University of Washington's Paul G. Allen School of
16 Computer Science and Engineering (the "Allen School") published its **Diversity,**
17 **Equity, Inclusion, and Access Five-Year Strategic Plan.** As part of Goal O.1,
18 the plan states that the Allen School will:

19 Measure the percentage of domestic Black, Hispanic, and American
20 Indian/Alaska Native, Hawaiian/Pacific Islander undergraduates and, **by**
21 **year 5**, evaluate whether the percentage is **at least 15%** (the UW-Seattle
22 average). (Emphasis added.) (See [Exhibit 1.](#))

1 This language does not reflect a passive demographic observation. Rather, it
2 clearly identifies a race-specific numerical benchmark to be achieved within a
3 defined time horizon—strongly suggesting the presence of an institutional
4 objective to engineer the racial composition of the undergraduate student body.
5 Further, the plan enumerated a series of tactics to achieve this goal.

6 The use of terms such as “by year 5” and “at least 15%” is incompatible with a
7 neutral policy. These are **evaluative and prescriptive terms**, not descriptive
8 ones. When an institution measures progress against a percentage-based racial
9 benchmark over time, it implies a race-based target or quota, even if race is not
10 explicitly used in a formal admissions formula. As recognized in *Arlington Heights*
11 and reaffirmed in *SFFA v. Harvard*, such race-conscious objectives can be
12 **probative of discriminatory intent**.

13 107. Moreover, selecting the UW-Seattle campus average as a benchmark is both
14 arbitrary and unjustified. There is no educational, legal, or policy rationale for
15 requiring each school within the university system to match or exceed that
16 campus-wide average. Basic mathematics dictates that if some schools exceed
17 the average, others must fall below it. Therefore, requiring all schools to meet or
18 exceed the UW-Seattle average can only be understood as an effort to impose
19 system-wide racial balancing—a practice explicitly condemned by the Supreme
20 Court (*Parents Involved*, 551 U.S. at 730).

21 108. This 15% enrollment goal for specified racial groups amounts to a set-aside,
22 akin to what the Supreme Court invalidated in *Regents of the University of*
23 *California v. Bakke*, 438 U.S. 265 (1978). When coupled with Washington’s

1 Initiative 200, which has banned racial preferences in public education since
2 1998, the Allen School's actions reflect a **willful and knowing violation** of both
3 federal and state law. Despite exceptional legal clarity on this point, the
4 University pursued this policy with **blatant disregard and callous indifference**
5 to the constitutional rights of Asian American applicants, whose increased
6 representation was clearly not among the intended outcomes of the Allen
7 School's racial targets.

8 109. According to his own [statements](#), Defendant Tadayoshi Kohno co-led, along
9 with Defendant Chloe Dolese Mandeville, the development of the Allen School's
10 **Five-Year Strategic Plan for Diversity, Equity, Inclusion, and Access** in 2020.
11 This plan included the 15% enrollment target for specified racial groups, a policy
12 that violates both federal and state anti-discrimination laws. Notably, Defendant
13 Kohno spoke about this plan with pride, as if the implementation of such unlawful
14 racial preferences were a commendable accomplishment.

15 110. Rather than being held accountable for instituting an unlawful race-based
16 target, Defendant Kohno was promoted to Associate Dean of the College of
17 Engineering at UW, while Defendant Dolese Mandeville received the 2023 UW
18 Distinguished Staff Award. These rewards demonstrate UW's institutional
19 endorsement of racially discriminatory practices and highlight a culture that
20 prioritizes racial engineering of the student body—even in blatant defiance of the
21 law.

22 111. As of August 5, 2025, the web page that previously hosted the Allen School's
23 strategic plan

1 (<https://www.cs.washington.edu/who-we-are/diversity-equity-inclusion-access/str>
2 [ategic-plan](#)) now displays the message “page has been eaten.” (See [Exhibit 2.](#))
3 This disappearance further suggests a conscious effort to obscure incriminating
4 evidence in the face of pending litigation.

5 112. In addition to its Five-Year Strategic Plan for Diversity, Equity, Inclusion, and
6 Access, the Allen School’s official Departmental Broadening Participation in
7 Computing (BPC) Plan—effective from December 15, 2021, to December 15,
8 2023—provides direct evidence that the Allen School implements race-conscious
9 policies in violation of both federal and state law. The Plan sets forth explicit
10 racial enrollment goals, including a directive to “increase the percentage of
11 domestic BHN [Black, Hispanic, Native] undergraduates to the UW-Seattle
12 average” and “increase the percentage of domestic BHN Ph.D. students by 10
13 percentage points” over the next five years. These are not generalized
14 commitments to diversity, but clearly defined racial benchmarks—**numerical**
15 **racial targets for admissions outcomes**—that reflect precisely the kind of
16 racial balancing the Supreme Court explicitly condemned in *Bakke*, *Gratz* and
17 *SFFA*.

18 113. The BPC Plan further outlines a series of recruitment and outreach initiatives
19 aimed at elevating BHN representation to meet those targets, including
20 race-conscious K–12 outreach, retargeted summer camps, culturally tailored
21 pedagogy, and partnerships with identity-based organizations. These measures
22 are focused not on individual disadvantage or socioeconomic need, but on racial
23 identity alone, with the express purpose of altering the racial composition of the

1 Allen School to achieve statistical parity. This reveals that race remains a
2 motivating factor not only in outreach and recruitment but in the broader
3 admissions-related infrastructure.

4 114. These practices, formalized in a departmental plan, directly contradict
5 Defendant Magdalena Balazinska's public claim in her letter to the AACE that
6 "The University of Washington (and thus the Allen School) does not use race as
7 a factor in admission decisions... We do not use race as a factor when admitting
8 students to our outreach programs." In reality, the Allen School's own documents
9 supply compelling evidence that race was a motivating factor in the rejection of
10 Stanley Zhong's application.

11 115. UW's race-conscious practices have not escaped federal notice. On March
12 14, 2025, the U.S. Department of Education's Office for Civil Rights ("OCR")
13 announced a sweeping Title VI enforcement initiative, opening formal
14 investigations into 45 universities for "race-exclusionary practices" that violate the
15 Civil Rights Act. UW appears on that list as a chief offender.

16 116. OCR's decision to single out UW is significant. Title VI investigations are
17 initiated only where the agency has received credible evidence that an institution
18 continues to deploy race as a decision-making factor after *SFFA*. Thus, a federal
19 body has already found sufficient cause to suspect UW of maintaining unlawful
20 racial preferences.

1 G. Documented Instances of Race-based Discrimination in UW's Admissions and
2 Hiring

3 G.1. Race-based Admissions and Scholarships

4 117. In April 2024, UW Professor Cliff Mass published a [blog](#) post sharing the
5 following observations and commentary regarding UW's admissions practices:

6 Highly biased decision-making in admissions is being made by many
7 departments as part of the DEI initiative. Key to this approach has been
8 dropping valuable objective measures such as the SAT and GRE exams
9 and moving to subjective "holistic" admissions. Holistic admissions are
10 essentially subjective and allow affirmative action to flourish.

11
12 I am inside the system and can see how it works. For example, in one
13 department, graduate admissions matrices include a DEI flag, that is used
14 to enhance the visibility of applicants with the proper "diverse" backgrounds.
15 The system is heavily weighted to enhance the chances of an applicant that
16 supports a certain conception of diversity.

17 118. In response to SB 5228 in 2021, the UW Medical School established the
18 Incentive Scholarships program. In 2023, all recipients of these scholarships
19 identified as URiM (underrepresented in medicine). If these awards were granted
20 based on race rather than factors such as merit or socioeconomic status, or other
21 race-neutral criteria, this practice raises serious concerns about the University's
22 prioritization of superficial diversity metrics over meaningful social justice and
23 equal opportunity.

119. UW's emphasis on identity categories is further illustrated by its public promotion of "Diversity and Identity-Based Opportunities" on official university websites. These practices suggest that UW's diversity framework centers on racial and ethnic classification, often at the expense of individual merit or broader measures of disadvantage.

G.2. Race-based Hiring

120. While distinct from undergraduate admissions, UW's faculty hiring practices provide compelling circumstantial evidence of its institutional and systematic race preference in decision-making. These policies reveal a university-wide culture deeply steeped in race-consciousness—one that cannot plausibly separate its hiring practices from its highly suspect admissions outcomes. UW's widespread adoption of race-conscious policies in faculty hiring supports the inference of similar practices in student admissions.

121. Similar to the 'unstated Affirmative Action' approach advocated by Mr. Chemerinsky at UC, UW implemented this practice by re-ranking candidates based on race while maintaining an appearance of neutrality. In 2023, the UW psychology department's hiring committee [re-ranked](#) finalists to prioritize hiring a Black candidate over a white and an Asian candidate who were originally ranked first and second, respectively. UW's Complaint Investigation and Resolution Office (CIRO)'s investigation [report](#) concluded that "race was used as a substantial factor in the selection of the final candidate and the hiring process." The report, which redacts all the names of those involved, suggests that faculty members tried to hide the extent to which race was considered, including in the

1 hiring report. "I advise deleting the statement below as it shows that URM
2 [underrepresented minority] applications were singled out and evaluated
3 differently than non-URM applications (which is not allowed as [redacted] noted),"
4 one email read, according to the report. "My inclination is to hold these meetings
5 only for POC [People of Color] candidates. I'm also mindful that our Provost is
6 now getting anxious about anything that's directed to only some identity groups
7 (i.e., they are getting worried about fallout from the pending Supreme Court
8 affirmative action rulings)," a person wrote in an email. "My read is that they'll get
9 fearful of litigation and overcorrect into colorblindness. Maybe our committee can
10 preemptively think our way around this type of future directive," the faculty
11 member wrote. This case provides a concrete example of how UW prioritized
12 race in hiring, in clear violation of Title VII of the Civil Rights Act and RCW
13 49.60.400. The incident only came to light probably due to a public records
14 request from John Sailer at the National Association of Scholars. Given the
15 pervasive culture of racial preference, it is reasonable to infer that this was not an
16 isolated occurrence.

17 122. As reported by John Sailer, the department created a case study report titled
18 [Promising Practices for Increasing Equity in Faculty Searches](#). It contains a set of
19 recommendations, which the department's Diversity Advisory Committee (DAC)
20 treated as unofficial hiring policy. "The policy that our department is prioritizing
21 DEI, operationalized as focusing on increasing hiring of URM candidates, is
22 mentioned in the promising search practices handbook," a hiring committee
23 member wrote in an email. The case study report established the policy of

1 requiring the “official DAC endorsement of faculty hiring recommendations.” It
2 starts with

3 This case study report summarizes the practices that the Department of
4 Psychology used in the 2020-2021 academic year to conduct faculty
5 searches across three separate research areas and hire five new tenure
6 track faculty members, three of whom are women and all of whom are
7 people of color (BIPOC).

8 It carefully ranks favored minority groups, specifically “Black/African American,
9 Latinx/Hispanic, or American Indian/Indigenous,” above less preferred ones,
10 specifically “Asian American or Middle Eastern American.”

11 Its recommendations include numerous practices that amount to racial
12 engineering. Some of the more troubling and legally questionable examples are
13 as follows:

14 Visualize your ideal candidates and work backwards from there to word your
15 advertisement. **If you could pick anyone, with an eye towards URM**
16 **scholars, which current scholars in your field would be the best fit for**
17 **this job?** How do they describe their work and goals? Consider using
18 similar language to communicate your unit’s priorities. (emphasis in original)

19 Deconstruct how evaluating candidates based on certain characteristics
20 (e.g., productivity, verbal fluency under pressure, charisma, likeability,
21 visionary leadership) may advantage privileged groups over
22 underrepresented groups.

1 The prompt [for Diversity Statement] could specify that candidates can write
2 about their own experiences with identity, their DEI-related activities and
3 service, etc.

4 Disadvantage of this approach [not requiring letters of recommendation]:
5 Potentially overlooking candidates whose letters may have provided
6 valuable additional information (e.g., whether the applicant is URM).

7 First, **audit previous searches to identify which criteria may be sources**
8 **of bias -- when were URM candidates dropped, and why?** On which
9 criteria did White candidates, male candidates, etc. tend to receive higher
10 scores? Use this initial audit to guide the creation of a rubric for the present
11 search. One of our searches used this process and realized that “open
12 science” requirements (publicly posting data, hypotheses, and materials to
13 guard against accusations of selectively reporting results or falsifying data)
14 produced biased results. We subsequently dropped open science as an
15 evaluation criterion. Adding the criteria of “diversity leadership” to the
16 Diversity category of the rubric proved to increase our retention of URM
17 candidates at various phases of the creation of lists. (emphasis in original)

18 **Determine who has disclosed URM identity in your candidate pool.**
19 (emphasis in original)

20 **Assign someone to check specifically for URM candidates who were**
21 **dropped at each stage.** ... In some searches, dropped URM candidates

1 were automatically given a second look before moving on. (emphasis in
2 original)

3 123. As a self-congratulatory showcase, the case study report's Appendix A lists
4 "UW Psychology Faculty Searches by the Numbers" as follows.

5 General:

- 6 ● All of the candidates we made offers to in all areas (across 3 searches)
- 7 accepted
- 8 ● 5 total new faculty members (Inequity-- 2; MMM -- 1 + 1 partner; IDS -- 1)
- 9 ● All BIPOC, 4/5 URM, 3/5 women

10 Psychology of Inequity search:

- 11 ● 143 total candidates
- 12 ● Phone interviews, then fourth cut: final pool reduced to 5 candidates (1
- 13 faculty, 2 postdocs, 2 grad students; 3 women, 2 men; all URM)
- 14 ● Offers made to & accepted by 2 candidates (both URM, one man one
- 15 woman)

16 Molecular Mechanisms of the Mind search:

- 17 ● 165 total candidates
- 18 ● Final pool of 5 candidates (5 BIPOC, 2/5 URM, 2/5 women)
- 19 ● Offer made to 1 candidate (man, URM); 1 spousal accommodation
- 20 (woman, BIPOC)

21 Integrative Developmental Science search:

- 22 ● 203 total candidates

- 1 • Final pool: 4 candidates (3 women, 1 man; 3 BIPOC, 1 URM)
- 2 • Offer made to 1 candidate (woman, URM)

3 Its repeated emphasis on URM (Underrepresented Minority) and BIPOC (Black,
4 Indigenous, and People of Color) status—as well as the percentage of such
5 candidates in the final hiring outcomes—strongly suggests a heavy-handed
6 approach to racial engineering in faculty hiring.

7 124. The case study report notes that it was created “with funding from UW Natural
8 Sciences Divisional Dean Dr. Daniel Pollack.” In 2022, Dean Pollack circulated a
9 set of hiring guidelines and resources, which placed the case study report
10 second in its list of recommended resources, noting that it was “distributed by
11 email.”

12 125. In April 2022, Associate Vice Provost Chadwick Allen hosted a webinar with
13 psychology department faculty member Sapna Cheryan, a member of the
14 Diversity Advisory Committee (DAC). The webinar—a recording of which was
15 acquired by the National Association of Scholars—suggests that Allen played a
16 pivotal role in developing some of the case study report’s key recommendations.
17 In the webinar, Cheryan described the case study report in detail, often noting
18 Allen’s involvement. When discussing the creation of job advertisements, the
19 case study document recommends that search committees tailor their language
20 to specific scholars. “If you could pick anyone, with an eye towards URM
21 scholars, which current scholars in your field would be the best fit for this job?
22 How do they describe their work and goals? Consider using similar language to
23 communicate your unit’s priorities.” In the webinar, Cheryan notes that “Chad told

1 us to, as we were writing our job ad, to think about a list of about ten candidates
2 that we would really love to see in our pool... So we made a list of ten
3 candidates, and then Chad recommended, go to their websites and see how they
4 word their research... we actually just pulled wording, keywords, from the way
5 they described their research.” The case study report likewise recommends
6 “deciding who was above threshold for the position and then focusing on the
7 optimal order to make offers... rather than trying to identify the ‘lone superstar’
8 among the final candidates.” In the webinar, Cheryan notes, “we also, based on
9 some recommendations from Chad, thought about the offer process this time as
10 not so much of a, like, we need to find the superstar best... but really think about
11 who’s above threshold and what is the right order to make offers.”

12 126. After UW’s Complaint Investigation and Resolution Office (CIRO) released its
13 investigation report, UW sanctioned the psychology department, including
14 imposing a two-year tenure-track hiring freeze. However, in June 2024,
15 allegations of a “coverup” of widespread “discriminatory hiring” erupted,
16 according to [audio](#) acquired by the National Association of Scholars.

17 127. In an audio recording of a meeting on March 16, 2023, psychology professor
18 lone Fine objected to the candidate re-ranking. When she challenged the legality
19 of the action, members of the department involved in the selection process
20 denied that the selection criteria used were illegal. At the meeting, they cited
21 guidance from a senior college administrator, who was advising the faculty on
22 hiring policy. One selection committee member told Fine they took the question to

1 a senior college administrator and he made it "very clear that we are not in a
2 situation where we're being in any way illegal."

3 128. In a later departmental meeting, where several UW deans were in
4 attendance, Professor Fine declared that "there has been a pattern, a
5 long-standing pattern, of illegal hiring in this university that was tacitly
6 encouraged across the upper and central administration." In remarks delivered
7 over a chorus of objections, Fine unpacked pointed allegations of university
8 administrators violating nondiscrimination law, avoiding accountability, and
9 scapegoating the psychology department for actions that administrators had
10 encouraged. Fine's speech argued that the psychology department's reranking
11 was explicitly encouraged by one high-level administrator, Associate Vice Provost
12 for Faculty Advancement Chadwick Allen, whose job involves facilitating
13 "inclusive faculty searches." In her remarks, Fine accused Mr. Allen of "bullying
14 junior faculty members" on the search committee into reranking the candidates.
15 Other administrators, Fine further alleged, took actions to cover up the
16 university's involvement. Addressing the Dean of the College of Arts and
17 Sciences personally, Fine stated: "You, Dean Harris, deliberately manipulated the
18 CIRO investigation with the goal of deliberately scapegoating the department in
19 order to hide the involvement of upper administration. This strategy was
20 endorsed at the highest levels, including the Board of Regents." Fine also alleged
21 that Harris narrowed the scope of the investigation so that Allen's emails would
22 not be requisitioned. According to Fine, Allen refused to answer questions when
23 he was interviewed for the investigation. Having initially blown the whistle

1 internally, Fine claimed the university's investigation only began after it received a
2 public records request regarding the search from the National Association of
3 Scholars. "It was only after the freedom of information request came in, and it
4 was clear that the illegal emails of the [diversity advisory committee] would
5 eventually become public, that the central administration decided a CIRO was
6 required," she stated. The speech pointed to a larger pattern at the university,
7 alleging that various dean-level administrators encouraged discriminatory hiring
8 practices. She cited instructions given to faculty by Daniel Pollack, Dean of
9 Natural Sciences, saying he "explicitly told them not to document race-based
10 deliberations in writing."

11 129. It seems UW scapegoated the psychology department for the actions of its
12 leadership. By investigating and sanctioning the psychology department, the
13 university seemed to make an unusual move, strongly rebuffing actions taken in
14 the name of "equity." Fine challenges that narrative, suggesting the university
15 was simply covering up its misdeeds.

16 130. In an email to [The College Fix](#) in September 2024, Professor Fine said,
17 "Unfortunately I think our department wasn't unique in being provided with
18 misleading administrative guidance about what was legal. From discussions with
19 colleagues in other universities, I don't think this issue is unique to UW."

20 131. John Sailer at the National Association of Scholars said, "Since I published
21 the story, several professors have told me that it's rampant on their campuses.
22 My previous reporting confirms that it's widespread."

1 132. Admissions and hiring are inherently interconnected and inseparable in the
2 context of racial discrimination within educational institutions. Faculty and
3 administrators play a pivotal role in shaping academic standards, mentoring
4 students, and influencing the culture and policies of a university, including
5 admissions criteria and practices. A racially biased hiring process can create and
6 perpetuate a discriminatory culture by fostering an environment where certain
7 racial perspectives are prioritized over objective, merit-based considerations.
8 Racially-motivated hiring policies often have a direct ripple effect on student
9 admissions. When university leadership consistently selects and empowers
10 individuals committed to race-based decision-making, it is hardly surprising that
11 those values also shape admissions policies and the student body. It is
12 implausible that a university can operate one process in a race-conscious
13 manner while keeping the other race-neutral, as both are fundamentally linked in
14 their goals and execution. Therefore, examining both admissions and hiring
15 practices is essential to providing a holistic assessment of whether a university's
16 policies violate constitutional and statutory protections against racial
17 discrimination.

18 133. While the Supreme Court's *Grutter* decision in 2003 permitted a limited,
19 time-bound consideration of race in college admissions, no such exception has
20 ever been allowed for hiring. Consequently, if a college intentionally incorporates
21 race into its hiring decisions, it's more than plausible that they do the same for
22 student admissions. UW's faculty-hiring record therefore supplies powerful
23 circumstantial evidence that race remains a defining criterion in UW's

1 decision-making, including the exclusion of Stanley and imminent exclusion of
2 the Minor Son.

3 **G.3. DEI and Diversity Statements in Hiring**

4 134. Even after the University of California discontinued the mandate of diversity
5 statements in March 2025, UW continues to require diversity (DEI) statements
6 from faculty candidates and considers them as part of hiring, appointment, and
7 promotion processes.

8 135. UW's use of diversity statements as an ideological screen provides
9 camouflage for racial preferences, and transforms the university mission from the
10 pursuit of truth to political activism.

11 136. As mentioned earlier, at UW, diversity means race. When applicants are
12 required to submit a diversity statement, university reviewers would likely be able
13 to tell the applicants' race, allowing it to be taken into account in violation of
14 federal and state laws.

15 137. Professor Cliff Mass shared in his blog, "My department is going through a
16 faculty search right now, and the attestations of fealty to DEI principles by
17 applicants were fulsome and exaggerated. The search committee structure
18 ensures that only "right-thinking" applicants have a chance."

19 138. Faculty at elite universities widely acknowledge that expressing race-neutral
20 values—such as advocating for merit or equal treatment—in diversity statements

1 is considered “career suicide.” A cottage industry has sprouted nationally to
2 guide applicants in writing these statements.

3 139. Given that UW is not conducting itself as a bona fide academic institution for
4 student admissions or faculty hiring, any traditional judicial deference afforded to
5 academic institutions should not apply in lawsuits concerning student admissions
6 or faculty hiring at UW.

7 **H. Statistical Evidence That UW Discriminates Against Asian-American** 8 **Applicants**

9 140. In addition to Stanley’s case, the statistical evidence further reveals the extent
10 of anti-Asian discrimination in UW's admissions.

11 141. According to the 2020 U.S. Census, Washington’s Asian population grew by
12 51.9% over the prior decade, making it the fastest-growing ethnic group in the
13 state. The Asian population increased from 7.2% of the total population in 2010
14 to 9.5% in 2020. Similarly, Asian American Pacific Islander Vote (AAPIV)
15 estimated that the AAPI voter pool in Washington grew by 54% from 2010 to
16 2020. This compares to a 16% change for the statewide eligible voting population
17 over the same period. Given this trend, it is reasonable to infer that the Asian
18 population in Washington has continued to grow at a similar rate beyond 2020.

19 142. Despite this demographic shift, Asian enrollment at the University of
20 Washington has declined in recent years. In 2013, UW’s freshman class of 6,255
21 included 1,794 Asian American students, comprising 28.7% of the class.
22 However, by 2024, Asians accounted for only 23% of UW’s total enrollment.

1 Notably, UW's 2024 entering class profile omitted any mention of Asian
2 enrollment, raising questions about the university's transparency and potential
3 suppression of Asian enrollment.

4 143. The gap between Asian population growth and admission rates strongly
5 suggests systemic discrimination. As the Court explained in *Reno v. Bossier*
6 *Parish School Board*, 520 U.S. 471, 487 (1997), the natural consequences of an
7 action often provide probative evidence of intent. Here, the persistent adverse
8 impact on Asian-American applicants indicates a racially motivated policy,
9 despite UW's denials.

10 144. In nearly every case examined by the Plaintiff, whenever the SAT data of the
11 applicants is available, it consistently indicates that Asian-American applicants
12 face significantly higher score thresholds for admission compared to some other
13 racial groups. For example, in 2023, had Cornell University held all applicants to
14 the same SAT score standards, it would have enrolled 7.1% of all
15 African-American SAT-takers nationwide who scored within the top 1400–1600
16 range, 4.1% of top-scoring Hispanic applicants, 1.9% of top-scoring White
17 applicants, and only 1.0% of top-scoring Asian-American applicants. Only two
18 plausible explanations exist. The first is that top-scoring Black applicants are
19 somehow seven times more likely than their Asian-American counterparts to
20 matriculate at Cornell over peer institutions—a statistical improbability,
21 particularly given that other elite universities also enroll substantial numbers of
22 high-achieving Black students. A similar pattern appears at the University of
23 Michigan, where top-scoring Black applicants are allegedly six times more likely

1 than their Asian-American counterparts to enroll—a claim that strains credibility.

2 But no one can seriously believe that Cornell and the University of Michigan have
3 somehow cornered the market on talented Black freshmen. The far more
4 straightforward—and credible—explanation is that both Cornell and the
5 University of Michigan have manipulated their admissions standards by race:
6 selectively raising or lowering the bar based on racial identity. In doing so, they
7 have disproportionately admitted lower-scoring applicants of preferred racial
8 groups while systematically denying admission to higher-scoring Asian-American
9 applicants, all in service of engineering a predetermined racial composition.

10 145. While SAT scores are not the sole measure of merit, the significant statistical
11 irregularities raise serious concerns as to whether the admissions policies of
12 Cornell University and the University of Michigan comply with legal prohibitions
13 against racial preferences. Unless these institutions can demonstrate that
14 Asian-American applicants were substantially less qualified based on other
15 relevant criteria considered in the admissions process—which they have failed to
16 do—the disparities strongly suggest impermissible racial discrimination.

17 146. Against this backdrop, the University of Washington’s decision to eliminate
18 SAT score requirements in 2021 takes on deeper significance. While initially
19 justified by the COVID-19 pandemic, UW’s continued “test-optional” policy raises
20 serious questions about its underlying motivations. During the years in which UW
21 did collect standardized test data, it almost certainly became aware—like peer
22 institutions such as Cornell and the University of Michigan—that Asian American
23 applicants faced significantly higher admissions thresholds. This likely created a

strong institutional incentive to discontinue collecting or publishing SAT scores, in order to conceal these disparities and shield the university from public scrutiny.

147. Moreover, UW does not publish admissions data by race, including SAT score ranges or acceptance rates disaggregated by racial group. Despite this lack of transparency, the racially engineered outcomes remain readily apparent, suggesting that the omission of key data serves to obscure—not eliminate—discriminatory practices in admissions.

148. According to the Education Research & Data Center (ERDC) of the Washington state government, the racial [breakdown](#) of Washington public K-12 students in 2018 was as follows.

	Asian	White	Hispanic	Black	American Indian	TOTAL
Student count	90,808	641,683	276,694	53,129	16,017	1,078,331
Percentage	8.42%	59.51%	25.66%	4.93%	1.49%	100.0%

Table 1: Racial breakdown of Washington public K-12 students in 2018

149. Assuming that SAT scores in Washington state follow the same distribution as nationwide trends, stark disparities emerge when comparing academic performance with enrollment outcomes by race. The table below summarizes key comparisons across five racial groups for Fall 2024 admissions:

Race/Ethnicity	Asian	White	Hispanic	Black	American Indian
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% SAT Takers Scoring 1400-1600	25%	6%	2%	1%	1%
Top Scorers as % of WA SAT Takers	2.11%	3.57%	0.51%	0.05%	0.01%
UW Enrollment Share	23%	33%	10%	5%	<1%

Table 2: Racial Group Representation Among Top SAT Scorers vs. UW Enrollment

For example, 25% Asian SAT takers score in the 140-1600 range. Asians account for 8.42% of Washington's K-12 student body and thus roughly 8.42% of all SAT takers in Washington. Therefore Asian top scorers account for 2.11% (25%*8.42%) of the all SAT takers in Washington. It doesn't take a mathematics degree to recognize the profound racial disparities reflected in the table above. These disparities cannot plausibly be explained without invoking broad racial preferences in the admissions process.

150. Moreover, UW's refusal to collect or publish SAT statistics disaggregated by race—an omission that marks a stark departure from standard procedural transparency—only amplifies suspicion. If UW believes race is not a factor in admissions, then it should have no hesitation in releasing such data. Absent clear evidence that Asian-American applicants are materially less qualified on other non-academic metrics, the only rational inference is that UW uses racial preferences to suppress Asian enrollment.

151. UW also withholds data on the number of National Merit Scholarship finalists among its admitted students. Disclosure of this information would provide an

1 important benchmark for evaluating the reasonableness of the University's
2 admissions decisions, particularly in light of its rejection of Stanley, a National
3 Merit Scholarship finalist. Transparency regarding the academic profiles of
4 admitted students would reveal whether similarly qualified applicants are being
5 admitted on a consistent basis—or whether discriminatory standards are being
6 applied.

7 152. Furthermore, existing studies that compare the academic qualifications of
8 admitted students by race fail to fully capture the extent of discrimination against
9 Asian-American applicants. By rejecting exceptionally qualified Asian-American
10 applicants like Stanley, the University artificially narrows the observed academic
11 gap between racial groups in the admitted class. This distortion occurs because
12 eliminating the top-performing Asian-American candidates from the pool
13 suppresses the mean and median academic qualifications of the Asian-American
14 applicant cohort, making the admitted class appear more academically balanced
15 than it truly is.

16 153. To accurately assess the magnitude of racial discrimination, it is essential to
17 compare the academic records of rejected Asian-American applicants against
18 those of admitted students from other racial groups. However, such an analysis is
19 currently impossible due to UW's lack of public disclosure and the limitations of
20 available admissions data. Plaintiffs intend to pursue this critical information
21 during the discovery phase of this lawsuit.

22 154. Finally, Plaintiffs have secured the support of expert witnesses from Students
23 for Fair Admissions, who have agreed to conduct a rigorous statistical analysis of

1 UW's admissions practices once the necessary data is obtained through
2 discovery.

3 **I. UW's Holistic Review is a Euphemism for Discrimination**

4 155. In the wake of *SFFA*, the percentage of Asian American students at top
5 universities surged, validating what had long been suspected: elite schools would
6 admit more qualified Asian students once merit was considered instead of race
7 — universities had simply chosen not to. It was only under the glare of legal
8 scrutiny that these institutions retreated from race-based practices they could no
9 longer justify or conceal.

10 156. Not so at UW. Rather than comply with the Supreme Court's clear ruling that
11 racial balancing violates the Equal Protection Clause and Title VI, UW responded
12 with defiance. Its chosen end-run around constitutional and statutory protections
13 is the ambiguous label of "holistic review." While the term conveys an impression
14 of individualized, thoughtful assessment, in practice it functions as a euphemism
15 for race-conscious and race-balancing admissions. Far from insulating the
16 process from discrimination, "holistic review" invites it by design, replacing
17 objective criteria with subjective discretion behind closed doors.

18 157. This practice is neither new nor unique to UW. On May 25, 2016, a former
19 Dartmouth admissions officer revealed how so-called "holistic review" permitted
20 admissions committees to hide racial bias behind vague, unaccountable
21 justifications, including racist stereotypes. Asian American applicants, for
22 instance, were often dismissed with coded language such as "yet another

1 textureless math grind.” Such comments underscore how “holistic review” has
2 been routinely weaponized against high-achieving Asian American applicants to
3 preserve racial balancing under the guise of flexibility and nuance.

4 158. The University of Washington’s continued reliance on both “holistic review”
5 and a “test-optional” admissions policy presents an inherent contradiction that
6 undermines the credibility of its admissions process. A review cannot be
7 meaningfully holistic if it deliberately excludes objective academic
8 measures—particularly standardized test scores that are essential for assessing
9 preparedness in competitive fields such as STEM. By eliminating such data, UW
10 further erodes transparency and invites greater subjectivity, which in turn creates
11 a fertile environment for discriminatory practices, especially against
12 high-achieving Asian-American applicants.

13 159. While “test-optional” policies were justifiable during the height of the
14 COVID-19 pandemic, UW’s decision to maintain this policy post-pandemic
15 appears strategic, serving to obscure racial disparities and avoid public
16 accountability. This refusal to collect or publish standardized test data not only
17 compromises academic integrity, but also suggests an institutional preference for
18 discretion over fairness. It is telling that leading institutions such as MIT,
19 Dartmouth, Yale, Brown, Harvard, Caltech, Cornell, and the University of Texas at
20 Austin have since reinstated standardized testing—leaving UW increasingly
21 isolated as an “SAT Denier.”

22 160. In this context, UW’s policies merit legal scrutiny—both for their disparate
23 treatment of Asian-American applicants and for the broader question of whether

1 the university continues to deserve the traditional judicial deference accorded to
2 academic institutions. When an admissions policy appears designed not to
3 promote academic excellence, but to conceal discriminatory outcomes, that
4 deference is no longer warranted.

5 161. Even the euphemism “holistic review” implies a thorough, individualized
6 evaluation of each applicant. In practice, however, the University of Washington’s
7 admissions process falls far short of that promise. UW requires its application
8 readers to review 8–10 applications per hour—allowing only six to seven minutes
9 per application. Within that brief window, readers are expected to evaluate
10 transcripts, extracurriculars, essays, recommendations, and other
11 materials—amounting to roughly 3,000 words per application. Even if no external
12 research or comparison is required, this would demand reading speeds of 500
13 words per minute, more than **double** the average reading speed of a college
14 graduate.

15 162. This breakneck pace is fundamentally incompatible with any genuine
16 individualized review. Worse, readers must maintain consistency across 69,177
17 undergraduate applications (UW’s 2024 applicant pool), a near-impossible task.
18 By contrast, companies like Google invest **over 10 hours per candidate**,
19 underscoring how superficial UW’s process must be.

20 163. To compound the problem, UW abolished its SAT/ACT requirement in 2021
21 under a “test-optional” policy that remains in place today. The removal of the
22 most objective, merit-based datapoint leaves readers more dependent than ever
23 on subjective criteria—a situation ripe for abuse, subjective judgment and

1 plausible deniability. The result is a process that claims to be holistic but in reality
2 relies on snap judgments, inconsistent standards, and unverifiable discretion.

3 164. This so-called “holistic” review, stripped of its objective anchor, enables UW to
4 lean on racial proxies and stereotypes. On information and belief, self-reported
5 race functions as a convenient proxy for subjective traits such as “fit” or
6 “contribution to campus culture.” Instead of conducting individualized
7 assessments, UW uses race—explicitly or implicitly—as a shortcut to assign
8 value to applicants. In doing so, it disguises racial profiling as individualized
9 review. This is not holistic; it is group-based discrimination cloaked in
10 bureaucratic language that serves as an impermissible proxy for race.

11 165. Indeed, UW appears to have rebranded its race-conscious policies as
12 “holistic” in the aftermath of I-200, not to eliminate racial considerations, but to
13 evade judicial scrutiny. The change in terminology is cosmetic—the
14 discriminatory intent remains. UW’s commitment to opaque admissions practices
15 is further evidenced by its refusal to publish SAT score ranges or admission rates
16 by race—a significant departure from accepted transparency norms. These
17 omissions suggest a deliberate effort to conceal racial disparities and support a
18 finding of discriminatory intent under the *Arlington Heights* framework.

19 166. The result is a process that is neither “holistic” nor individualized. It is a
20 rushed, inconsistent, opaque system that relies on superficial and impermissible
21 self-reported racial categorization to evaluate subjective traits.

167. When Stanley applied for Fall 2023, the test-optional policy was in force, so applicants' files reached the committee stripped of the one objective measure that might have anchored an honest comparison. Admissions readers—working at a six-minute pace—were left to fill that vacuum with subjective cues and race-linked proxies, the very tools UW had crafted to preserve its preferred race-based demographic engineering. In short, Stanley was judged by a process “holistic” in name only: driven by racial identity rather than by his extraordinary merit.

9 J. A Prima Facie Case under the *McDonnell Douglas* Framework

168. In addition to the analysis under the *Arlington Heights* framework, the circumstances surrounding Stanley Zhong's rejection also support a claim of racial discrimination under the *McDonnell Douglas* burden-shifting framework.

169. To establish a prima facie case of racial discrimination in admissions under this framework, Plaintiff Stanley Zhong must demonstrate that:

- (1) he is a member of a protected class;
- (2) he was eligible for admission to the University;
- (3) he was denied admission or otherwise treated adversely; and
- (4) similarly situated individuals outside the protected class received more favorable treatment.

Stanley Zhong satisfies each of these elements. See *McDonnell Douglas Corp. v. Green*, 411 U.S. 792 (1973). In *Ames v. Ohio Dep't of Youth Services*, 605 U.S. ____ (2025), the Supreme Court also unanimously reiterated its “instruction to

1 avoid inflexible applications of the prima facie standard. *Teamsters v. United*
2 *States*, 431 U. S. 324, 358. Pp. 4–7.”

3 170. First, Stanley is a member of a protected class—Asian Americans.

4 171. Second, Stanley applied for admission to the undergraduate Computer
5 Science program and Human Centered Design and Engineering program at
6 University of Washington for the Fall 2023 admissions cycle. He was not merely
7 qualified, but possessed exceptionally rare, objectively verifiable qualifications.
8 His achievements place him in the highest echelon of applicants worldwide.
9 These achievements include, but are not limited to:

- 10 ● Dominance in High School Coding Competitions:
 - 11 ○ Securing top ranks in multiple prestigious coding contests for his age
 - 12 group, including placing #2 globally (#1 in the United States) in MIT’s
 - 13 Battlecode contest.
- 14 ● Elite Performance in Professional Coding Competitions:
 - 15 ○ Achieving the rank of 427 globally in Google Code Jam, a competition
 - 16 primarily for professional software engineers worldwide.
 - 17 ○ Achieving the rank of 329 globally in Meta (Facebook) Hacker Cup,
 - 18 another competition primarily for professionals worldwide.
- 19 ● Innovation and Industry Recognition:
 - 20 ○ Developing RabbitSign, a novel and unlimited free e-signing service that
 - 21 gained significant traction. This service was lauded by Amazon Web
 - 22 Services (AWS) in a technical review as “one of the most efficient and

1 secure accounts” they had ever reviewed, and was selected for a case
2 study.

- 3 ● Ultimate Professional Validation:
 - 4 ○ Being hired by Google at age 18 for a software engineering position (Level
5 4) that requires Ph.D.-level expertise or equivalent industry experience.

6 Collectively, these accomplishments demonstrate that Plaintiff Stanley Zhong's
7 qualifications far exceeded the academic and technical standards required for
8 undergraduate admission to even the most selective university programs.

9 172. Third, despite his extraordinary qualifications, Stanley was rejected by the
10 undergraduate programs at UW.

11 173. Fourth, the circumstances surrounding the rejection give rise to a strong
12 inference of racial discrimination. Preliminary investigation, including review of
13 publicly available information such as LinkedIn profiles, has identified non-Asian
14 students admitted to the UW Computer Science program whose documented
15 academic performance, technical skills, and extracurricular achievements appear
16 substantially less distinguished than Stanley’s exceptional, internationally
17 recognized accomplishments. For the Fall 2023 enrollment, UW’s Computer
18 Science program [admitted](#) 569 WA residents and 83 domestic non-residents. It is
19 implausible that all the admitted students possessed qualifications equal to or
20 exceeding Stanley’s, even narrowing the scope to non-residents.

21 174. The rejection of a candidate with Stanley’s exceptional credentials by UW
22 gives rise to a plausible inference that race, rather than merit, was a

determinative factor in the admissions decisions. This disparity warrants discovery into the University's admissions records and decision-making processes to assess the role of race under the then-prevailing legal framework and to ensure compliance with current constitutional standards.

K. UW Officials' Callous Indifference to Plaintiffs' Federally Protected Rights

175. On January 26, 2025, Nan emailed the Regents of the University of Washington and President Cauce about Stanley's rejection. No response was received as of this filing.

176. The denial of Stanley's applications—combined with UW's complete failure to even acknowledge the issue—cannot be dismissed as mere random error or just negligence. Rather, these actions reveal a pattern of systemic bias and reckless or callous indifference to Plaintiffs' federally protected rights, suggesting malice toward Stanley and, by extension, other similarly situated Asian-American applicants.

177. While it is true that Google's job offer came after UW's rejection—meaning UW could not have foreseen that Google would recognize Stanley's skills had already reached the Ph.D. level—the fundamental issue remains: the technical achievements included in Stanley's UW applications were substantially the same as those sent to Google. While Google found Stanley's achievements sufficient to consider him for a Ph.D.-level position, UW, in contrast, deemed him unqualified for undergraduate admission. This stark contrast underscores a systemic barrier that profoundly affects Asian-American applicants' experiences in college

1 admissions. Even when their qualifications reach the Ph.D. level, they may still
2 be denied undergraduate admission. This fosters a pervasive sense of
3 helplessness—the belief that the system is rigged to reject you regardless of your
4 merits—that contributes significantly to the mental health challenges within the
5 Asian-American youth community.

6 178. Defendants, aware of the legal prohibitions against racial discrimination in
7 university admissions under the Fourteenth Amendment, Title VI, 42 U.S.C. §
8 1981, and RCW 49.60.400 (Initiative 200), have every incentive to conceal the
9 true nature of their race-conscious decision-making processes. Plaintiffs allege
10 that Defendants acted with deliberate indifference to Plaintiffs' rights, but
11 acknowledge that the precise mechanisms of discrimination—such as how racial
12 balancing was operationalized, who authorized it, and whether specific metrics or
13 targets were used—are likely concealed in non-public communications and
14 internal documents. Defendants are too smart to leave a direct paper trail visible
15 to the public. Courts have long recognized that discriminatory intent is rarely
16 documented overtly, and that plaintiffs must be permitted to use discovery to
17 obtain circumstantial and contextual evidence. See *Village of Arlington Heights v.*
18 *Metropolitan Housing Development Corp.*, 429 U.S. 252, 266–68 (1977)
19 (permitting intent to be inferred from indirect evidence).

20 179. Discovery is essential to uncover these non-public policies, communications,
21 and data. Plaintiffs have alleged sufficient facts to render their claims plausible.
22 The factual development of this case—particularly with respect to the roles of
23 individual defendants, internal deliberations, and race-conscious criteria used in

1 “holistic” review—must proceed through discovery, as the key evidence lies
2 within the exclusive control of Defendant UW.

3 **L. Asian Americans Face Hostility**

4 180. Public hostility toward Asian-American students asserting their legal rights is
5 well-documented, particularly on college campuses.

6 181. Asian Americans who challenge this discrimination do so at great personal
7 risk. On campus, advocating for equal treatment under the law has been
8 perversely rebranded as an attack on civil rights—an Orwellian inversion that
9 suggests those rights belong only to the “right kind” of minority.

10 182. At UW, as at many elite colleges, Asian Americans endure a dual-indignity
11 —first, they are subjected to systemic discrimination in the admissions process.
12 Then, should they be lucky enough to reach campus and object to that injustice,
13 they are vilified as opponents of “equity” or “allies” of the oppressors or branded
14 “racist.” This national climate manifests itself at UW and throughout the body of
15 academic institutions. UW condemns discrimination against some groups, but
16 celebrates discrimination against Asian Americans and other groups.

17 183. This pervasive social hostility—manifesting in microaggressions and overt
18 hostility—discourages Asian-American students from challenging discriminatory
19 policies, effectively silencing those who have been harmed. It is therefore
20 reasonable to infer that numerous Asian-American applicants, either already
21 harmed by UW’s admissions practices or anticipating future discrimination,
22 remain silent due to legitimate concerns about retaliation or social pressure.

1 M. Minor Son as a Prospective Applicant Can Only Conclude That He Is Not
2 Welcome at UW

3 184. Minor Son is currently a rising junior in high school and anticipates applying to
4 UW during the 2026-2027 application cycle for fall 2027 enrollment.

5 185. Like his brother, Minor Son is talented. Minor Son already demonstrates the
6 academic excellence, intellectual curiosity, and extracurricular achievement that
7 define top college applicants. Although he has not yet taken the PSAT due to his
8 grade level, he expects to do well, just as his older brother Stanley did, based on
9 his advanced coursework and consistent academic performance. Minor Son's
10 current GPA stands at a perfect 4.0 (unweighted), even higher than Stanley's at
11 the same stage, placing him among the very top of his class.

12 186. Outside the classroom, Minor Son exhibits a well-rounded and disciplined
13 character. He has been a member of his high school's varsity cross-country team
14 since his freshman year, he is a national-level Rubik's Cube competitor capable
15 of solving the cube in 6.25 seconds during official events, and he has taught
16 himself to juggle five balls. Minor Son has performed on stage at the second
17 largest annual juggling festival in North America.

18 187. However, based on Stanley's experience, Minor Son has learned of a
19 consistent pattern in which UW discriminates against Asian American applicants
20 because of their race.

21 188. Minor Son is also discouraged and humiliated by repeated and public
22 knowledge of UW's discrimination against Asian Americans in its admissions.

1 189. Minor Son has also learned through friendship networks within his community
2 and through publicly available reports that Asian American students who speak
3 up for equal treatment under the law on UW campuses and throughout academia
4 are branded “racists” and ostracized on campus —reinforcing that UW's bias
5 extends beyond admissions into campus culture.

6 190. Minor Son is aware of admissions statistics indicating that—even among the
7 most qualified—Asian Americans face significantly lower admission rates without
8 the ‘correct’ race for UW's race-based admissions process.

9 191. Under Article III of the Constitution, as construed by precedents such as
10 *Gratz v. Bollinger* and *Northeastern Fla. Chapter*, an imminent discriminatory
11 barrier (like a university's admissions policy) constitutes a sufficient
12 “injury-in-fact” for standing.

13 192. Both because of hard data indicating that the collective experience of Asian
14 Americans at UW is dismal in the admissions pool and also because of his direct
15 experience of his brother’s hardship and rejection, Minor Son faces certain harm
16 if he applies to UW. In short, Minor Son has come to view application to UW as
17 an Asian American student, no matter how talented, as a fool’s errand. Through
18 its actions, UW has concretely deterred Minor Son from applying for admission in
19 the future. Minor Son is genuinely threatened with the likelihood of being
20 subjected to the same discriminatory admission barrier that hurt Stanley.

1 193. Minor Son will be ready and eligible to apply to UW by the time this lawsuit
2 compels the University to cease its intentional discrimination against Asian
3 American applicants.

4 194. In sum, while Minor Son is positioned to be a highly competitive applicant to
5 any elite university, he confronts a tangible and immediate risk and harm of
6 race-based discrimination at UW.

7 195. Nan acknowledges the holding in *Johns v. County of San Diego*, 114 F.3d
8 874, 876 (9th Cir. 1997), where the Ninth Circuit stated that “constitutional claims
9 are personal and cannot be asserted vicariously,” and emphasized that “[i]t goes
10 without saying that it is not in the interest of minors or incompetents that they be
11 represented by non-attorneys. Where they have claims that require adjudication,
12 they are entitled to trained legal assistance so their rights may be fully protected.”
13 That reasoning appears to rest on the assumption that minors have access to
14 legal representation when needed, thereby protecting their interests through the
15 availability of counsel. However, in this case, Plaintiffs have made diligent efforts
16 to retain legal counsel—both paid and pro bono—but no attorney has been
17 willing or able to take the case. Plaintiffs would eagerly accept qualified legal
18 representation if it became available. Indeed, such representation was secured in
19 Plaintiffs’ lawsuits against the University of Michigan and Cornell University,
20 where two attorneys agreed to take those matters. Plaintiffs also implored those
21 attorneys to take this case, but understandably, they declined due to limited
22 capacity. Under these exceptional circumstances, if the imminent harm facing
23 Minor Son materializes into actual injury and no attorney is available to represent

1 him, it would be a profound injustice to bar him from seeking legal redress solely
2 due to the unavailability of counsel. Such a result would contradict the Ninth
3 Circuit's stated objective in *Johns*—to protect the rights and interests of
4 minors—not extinguish them.

5 **N. Summary of UW's Illegal Use of Race**

6 196. In sum, the compelling statistical and anecdotal evidence unequivocally
7 demonstrates that UW has, and continues to, impermissibly use race as a factor
8 in its operations. This pattern of unconstitutional conduct is evident across
9 multiple critical functions:

10 a. Undergraduate Admissions:

11 i. While UW has actively concealed its current undergraduate
12 admissions data, the circumstantial evidence is overwhelming.
13 Plaintiffs have documented

- 14 1. absurd individual rejection of exceptionally qualified Asian
15 American applicant;
- 16 2. profound disparities between standardized test scores and
17 student body percentage across racial groups;
- 18 3. substantial gap between Asian population growth and its
19 declining percentage in UW enrollment.

1 ii. These all powerfully indicate the continued, plausible use of race in
2 UW's undergraduate admissions, discriminating against Asian
3 Americans.

4 b. Graduate School Admissions:

5 i. Professor Cliff Mass's [blog](#) exposes racial preference in graduate
6 admissions.

7 c. Faculty Hiring:

8 i. Professor Cliff Mass's [blog](#) exposes racial considerations in faculty
9 hiring.

10 ii. UW's pervasive use of diversity statements as ideological litmus
11 tests confirms a deeply embedded institutional culture of
12 race-consciousness that permeates hiring decisions.

13 iii. Whistleblower reports exposed re-ranking faculty candidates by
14 race. Documented attempts to explicitly conceal racial intent serves
15 as a direct, unvarnished admission of intent to evade legal
16 prohibitions.

17 iv. Whistleblower reports also exposed involvement and coverup by
18 senior administrators.

19 197. Additionally, senior UW administrators have made repeated public statements
20 expressing a desire and intent to consider race in admissions.

198. Defendant UW's persistent obfuscation of its admissions data strongly suggests a deliberate attempt to hide ongoing discriminatory practices.

3 O. Legal Basis

199. In *SFFA v. Harvard*, 600 U.S. 181 (2023), the Supreme Court definitively held that race-based admissions policies violate the Equal Protection Clause.

200. UW's racially discriminatory admission policies and practices violate the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

201. UW's racially discriminatory admissions policies and practices also violate Title VI of the Civil Rights Act of 1964, which prohibits racial discrimination in programs receiving federal financial assistance.

202. UW's racially discriminatory admissions policies and practices also violate 42 U.S.C. 1981, which prohibits racial discrimination in contracting.

203. UW's racially discriminatory admissions policies and practices also violate RCW 49.60.400 (Initiative 200), which unequivocally states: "The state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting." This provision explicitly prohibits both discrimination and preferential treatment on the basis of race.

1 204. UW's actions represent a blatant and ongoing disregard for established
2 federal and state law, necessitating judicial intervention to restore meritocracy
3 and equal protection for all applicants, regardless of race.

4 205. In *Students for Fair Admissions v. University of Texas Austin*, No. 24-50631
5 (5th Cir. 2025), the Fifth Circuit Court of Appeals noted that admissions officers'
6 access to racial data could still potentially allow for racial discrimination, thus
7 maintaining a live controversy.

8 206. The use of racial proxies to achieve racial balancing is unconstitutional. In
9 *Parents Involved in Community Schools v. Seattle School District No. 1*, 551 U.S.
10 701, 743 (2007), the Supreme Court held that racial balancing is not a compelling
11 state interest and "[r]acial balancing is not transformed from 'patently
12 unconstitutional' to a compelling state interest simply by relabeling it 'racial
13 diversity.'" Similarly, in *SFFA v. Harvard*, 600 U.S. 181 (2023), the Supreme Court
14 reaffirmed that admissions policies designed to achieve racial diversity by using
15 proxies for race are equally unconstitutional. "[W]hat cannot be done directly
16 cannot be done indirectly."

17 207. A state law or policy that discriminates on the basis of race is subject to strict
18 scrutiny, regardless of its intended beneficiaries. See *Adarand Constructors, Inc.*
19 *v. Peña*, 515 U.S. 200, 227 (1995).

20 208. As the Supreme Court noted in *SFFA v. Harvard*, "College admissions are
21 zero-sum. A benefit provided to some applicants but not to others necessarily
22 advantages the former group at the expense of the latter." The distinction
23 between preferential treatment and adverse impact is illusory—both actions are

1 inherently racially motivated and inseparable, representing merely different ways
2 of describing the same net discriminatory conduct. In a zero-sum situation, when
3 assessing whether a policy constitutes racial discrimination, courts should focus
4 on the presence of racial intent, regardless of whether that intent manifests as
5 preferential treatment or adverse impact. As the Supreme Court affirmed in *SFFA*
6 *v. Harvard*, “[W]hat cannot be done directly cannot be done indirectly. The
7 Constitution deals with substance, not shadows,” and the prohibition against
8 racial discrimination is “levelled at the thing, not the name.” *Cummings v.*
9 *Missouri*, 71 U.S. (4 Wall.) 277, 325, 18 L.Ed. 356 (1867).

10 209. In *CACAGNY*, the Second Circuit Court stated that “Applying Supreme Court
11 precedent, we have generally recognized three types of discriminatory laws: (1) a
12 facially discriminatory law or policy that expressly classifies individuals on the
13 basis of race; (2) a facially neutral law that is enforced in a discriminatory fashion;
14 and (3) a facially neutral law that was adopted with discriminatory intent and
15 resulted in a discriminatory effect. See *Chabad Lubavitch of Litchfield Cnty., Inc.*
16 *v. Litchfield Hist. Dist. Comm’n*, 768 F.3d 183, 199 (2d Cir. 2014).”

17 210. For UW, all three types of discriminatory policies and practices identified by
18 the Second Circuit Court are evident:

- 19 a. **Facially discriminatory policies:** Strong evidence shows that UW
20 employs explicitly race-based discriminatory policies—including numerical
21 racial targets—that are directly tied to student admissions.

b. **Discriminatory enforcement:** UW's absurd and incongruous admission outcomes strongly indicate that UW exercises its admissions policies in a discriminatory fashion.

c. **Discriminatory intent and effect:** UW's official statements and its senior administrator have repeatedly expressed a desire and intent to use race in admissions. There is substantial evidence of adverse effects on Asian-American applicants, both individually and collectively. Additionally, UW's faculty hiring practices and graduate admissions are demonstrably racially motivated, resulting in disparate treatment of various racial groups. Moreover, top UW administrators consistently oppose I-200.

These actions constitute violations of the Equal Protection Clause of the Fourteenth Amendment, Title VI of the Civil Rights Act of 1964, 42 U.S.C 1981, and RCW 49.60.400 (Initiative 200).

P. Rebuttal to Motion to Dismiss

211. On July 16, 2025, Defendants' counsel filed a Motion to Dismiss (Dkt. #18).

As detailed in [Section F](#) of this Complaint, a substantial portion of the motion is undermined by newly surfaced evidence of the Allen School's 15% enrollment target for certain non-Asian racial groups—a policy that strongly suggests impermissible racial balancing in direct violation of constitutional and statutory law.

212. More broadly, the motion is riddled with serious legal and factual flaws, including (1) misunderstanding of constitutional laws, (2) incorrect applications of

1 legal references, (3) self contradiction, (4) faulty reasoning, (5) misrepresentation
2 and fact twisting, and (6) evading the core factual issue at the heart of this case.
3 In addition, the motion misapplies the *Arlington Heights* framework and
4 misinterprets the burden-shifting analysis set forth in the *McDonnell Douglas*
5 framework, both of which are essential to properly adjudicating claims of
6 intentional discrimination.

7 **P.1. Misunderstanding of Constitutional Laws**

8 213. The motion erroneously asserts that Plaintiffs must establish “that out-of-state
9 Asian Americans are underrepresented in the Allen School” to proceed with their
10 claims. It further argues for dismissal on the basis that Asian Americans are
11 “overrepresented” in the Allen School—comprising 51.8% of the student body
12 compared to 9.5% of the general population. This argument reflects a
13 fundamental misunderstanding of the Equal Protection Clause of the Fourteenth
14 Amendment.

15 214. The argument that Asian Americans are over-represented in UW's student
16 body relative to the state's general population does not negate claims of
17 discrimination. Equal protection requires that individuals be treated as
18 individuals, not as members of a racial class. See *Miller v. Johnson*, 515 U.S.
19 900, 911 (1995). The Equal Protection Clause of the Fourteenth Amendment
20 prohibits states from denying any person “the equal protection of the laws.” The
21 Clause's “central purpose is to prevent the States from purposefully
22 discriminating between **individuals** on the basis of race.” See *Shaw v. Reno*, 509
23 U.S. 630, 642 (1993). (Emphasis added.) Even if aggregate Asian enrollment

1 remains relatively high, systemic discrimination may suppress their numbers
2 below what they would be in a race-neutral system. “[I]nvidious discrimination
3 does not become less so because the discrimination accomplished is of a lesser
4 magnitude.” See *Personnel Administrator of Massachusetts v. Feeney*, 442 U.S.
5 256, 277 (1979). The “law’s focus on individuals rather than groups [is] anything
6 but academic.” *Bostock v. Clayton County*, 590 U.S. 644, 659 (2020). Chief
7 Justice John Roberts unequivocally articulated in *SFFA v. Harvard* that “the
8 student must be treated based on his or her experiences as an individual—not on
9 the basis of race.”

10 215. Further supporting this action, in *Ames v. Ohio Dep’t of Youth Services*, 605
11 U.S. ____ (2025), the Supreme Court unanimously held that Title VII protects
12 “individuals,” not groups, and protects “minority and majority” alike. It reaffirmed
13 that “the standard for proving disparate treatment under Title VII does not vary
14 based on whether the plaintiff is a member of a majority group”—a principle that
15 logically extends to Title VI, particularly for groups that may be overrepresented
16 in a college’s student body relative to the general population.

17 216. Further supporting this action, in *Chinese American Citizens Alliance of*
18 *Greater New York (CACAGNY) v. Adams*, 116 F.4th 161 (2d Cir. 2024), the
19 Second Circuit Court of Appeals unanimously affirmed that an equal protection
20 claim may proceed if “any individual has been negatively affected or harmed by a
21 discriminatory law or policy based on race, even if there is no disparate impact
22 on members of that racial class in the aggregate.”

1 217. The Second Circuit Court of Appeals further held that a facially neutral policy
2 driven by racial motives violates equal protection, even if aggregate enrollment
3 improves. The ruling states “if discriminatory intent is proven, a negative effect or
4 harm from that discriminatory policy on individual Asian-American students
5 applying to the SHSs [Specialized High Schools] would be sufficient to trigger
6 strict scrutiny review”. The court further held that a policy or a program “is not
7 immunized from strict scrutiny because it underperforms in an unconstitutional
8 mission with respect to a targeted racial group in the aggregate.” Therefore,
9 policies aiming to reach 15% enrollment for certain racial groups—whether or not
10 the 15% target has been met—are subject to strict scrutiny and won’t survive it.

11 218. A university policy that amounts to racial balancing is “patently
12 unconstitutional.” *Grutter v. Bollinger*, 539 U.S. 306, 329 (2003). Racial balancing
13 seeks to ensure a specified percentage of a racial group within the student body
14 merely due to race or ethnicity. *Id.* Courts have consistently rejected proportional
15 representation as a constitutional justification for race-based admissions. See *Id.*
16 at 343.

17 219. Racial balancing is not a compelling interest under the Constitution, and the
18 fact that Asian Americans are a high-performing group does not authorize public
19 institutions to disadvantage individual members of that group to achieve
20 demographic parity. Defendants’ argument fails to grasp that such balancing
21 itself is constitutionally impermissible.

22 220. Defendants’ logic—that Asian Americans cannot be victims of discrimination
23 because they are “overrepresented” at the Allen School relative to their

percentage in the general population—collapses under even minimal scrutiny. If proportional representation were the constitutional standard, then institutions such as the National Football League (NFL) would be presumptively guilty of racial discrimination for having virtually no Asian American players, despite Asian Americans comprising over 7% of the U.S. population.

P.2. Incorrect Applications of Legal References

221. The motion contends that “a plaintiff making a claim of racial discrimination needs much more: a plausible allegation of a race-conscious admissions policy or circumstantial evidence of such,” and in support, it cites the factual findings in *SFFA*. But those findings were not made at the pleading stage—they were the product of full discovery and trial. To suggest that Plaintiffs in this case must, at the motion to dismiss stage and without the benefit of discovery, meet the same evidentiary threshold that *SFFA* reached after years of litigation is an absurd misreading of precedent and the Federal Rules of Civil Procedure.

222. The motion repeatedly cites the allegations and evidence presented in *SFFA v. Harvard*, implying that Plaintiffs must make nearly identical allegations regarding UW’s admissions process to survive a motion to dismiss. This not only confuses the procedural posture of the two cases, but also misstates the legal standards applicable here. Under Rule 8 and *Iqbal/Twombly*, Plaintiffs must plead facts that plausibly suggest entitlement to relief—not prove their case at the outset, particularly not with the level of detail that only discovery can reveal.

223. Moreover, the core legal questions presented in this case differ meaningfully from *SFFA*. In *SFFA*, Harvard openly acknowledged that it used race as a factor in admissions. The central question was whether that race-conscious policy was constitutional. By contrast, in this case, UW claims that it does *not* use race in admissions at all—despite Plaintiffs having plausibly alleged otherwise, including circumstantial and documentary evidence such as the Allen School’s 15% enrollment benchmark for certain racial groups.

224. Accordingly, this case requires a different evidentiary approach. The fundamental legal question here is not whether UW’s admissions policy—if race-conscious—is narrowly tailored under *Grutter* or *SFFA*. The question is whether UW is covertly using race in its admissions process while publicly denying it. That distinction matters. Where a defendant denies the existence of a race-conscious policy, circumstantial evidence and discovery become essential tools for plaintiffs to uncover hidden discrimination. Plaintiffs are not required to meet *SFFA*’s post-discovery evidentiary burden at the pleading stage. They need only plausibly allege discriminatory conduct—something the Complaint more than satisfies.

P.3. Self Contradiction

225. The motion argues that, “most of the Complaint alleges discrimination against Asian-Americans by other universities, with a particular focus on (strangely) the University of California. Compl. ¶¶ 69-83, 85-94. Clearly none of these allegations is relevant to the Plaintiffs’ claims against UW.” (*Mot. to Dismiss* at 12.) This claim is both disingenuous and internally inconsistent.

1 226. First, it is well known—and judicially noticeable—that elite universities across
2 the country have historically employed similar admissions frameworks, often
3 under the label of “holistic review,” and that many have used this framework as a
4 vehicle for racial preferences. The Supreme Court recognized this in *SFFA v.*
5 *Harvard*, where it addressed admissions practices that are widespread in higher
6 education as reflected in the amicus briefs filed by the universities in support of
7 Harvard. Plaintiffs’ references to other universities—including the University of
8 California, which has also been banned by state laws to use racial preference for
9 decades—are intended to demonstrate that such race-conscious practices are
10 not isolated anomalies but part of an industry-wide pattern. When multiple
11 universities with similar “holistic” admissions structures and stated commitments
12 to “diversity” exhibit parallel discriminatory outcomes, it is reasonable and
13 relevant to consider those parallels as circumstantial evidence in support of
14 Plaintiffs’ claims under *Arlington Heights*.

15 227. Second, the motion repeatedly invokes the rejection of Stanley Zhong by
16 other elite universities to justify UW’s decision to reject him. If the conduct of
17 other institutions is truly irrelevant, then Defendants should not rely on those
18 rejections to defend their own. Defendants cannot have it both
19 ways—discrediting references to other universities when made by Plaintiffs, while
20 simultaneously invoking those same institutions to validate UW’s admissions
21 decisions. This inconsistency underscores the weakness of their argument and
22 the selective reasoning employed in the motion.

228. In sum, Plaintiffs’ references to other universities are not only relevant—they are logically and legally probative in establishing discriminatory patterns and systemic practices, especially at the pleading stage. Defendants’ attempt to exclude such context while simultaneously relying on it themselves only further undermines the credibility of their arguments.

P.4. Faulty Reasoning

229. The motion asserts that “an increase in the Asian-American *population* of Washington says nothing about the number of competitive Asian-American *applicants*.” That claim defies basic statistical reasoning. A growing population typically correlates with a growing applicant pool, especially for a group like Asian Americans, who consistently outperform academically across multiple metrics. The refusal to acknowledge this basic fact reveals the weakness of Defendants’ argument.

230. The motion asserts that “over 26 years ago, Washington voters approved a ban on the use of race in university admissions and UW’s admissions policies have complied with that ban ever since.” While the first half of that statement is undisputed—I-200 was indeed enacted in 1998—the second half is conclusory and unsupported. The mere existence of a legal prohibition does not demonstrate compliance. Facial compliance with I-200 does not preclude covert or indirect use of race. Plaintiffs’ Amended Complaint alleges with specificity that UW has continued to engage in covert race-based admissions practices in defiance of I-200, consistent with the pattern of “unstated affirmative action”

1 pervasive in elite institutions across the country. Defendants' invocation of I-200
2 as proof of compliance is not dispositive.

3 231. The evidence presented in this Complaint—including UW's public opposition
4 to I-200, its support for I-1000, its adoption of numerical enrollment targets for
5 specific racial groups at the Allen School, and its sustained resistance to
6 objective metrics like standardized tests—strongly suggests that UW's
7 admissions policies have not in fact complied with the letter or spirit of I-200.
8 Defendants' reliance on I-200's existence as conclusive proof of compliance is
9 legally insufficient, particularly at the pleading stage. See *Village of Arlington*
10 *Heights v. Metropolitan Housing Dev. Corp.*, 429 U.S. 252 (1977) (holding that
11 facial neutrality is not dispositive where intent or effect suggests discrimination).

12 232. Defendants also argue that "the Complaint itself betrays Stanley's allegations
13 in that it discloses Stanley was rejected not just from UW but **sixteen** of the
14 eighteen other undergraduate computer science programs to which he applied."
15 This line of argument, repeated throughout the motion, reflects a fundamental
16 misunderstanding of both the relevant legal standards and the factual context of
17 the Complaint.

18 233. First, widespread rejection of Asian American applicants by elite universities
19 is precisely the kind of pattern that Plaintiffs allege: a systemic and
20 institutionalized form of anti-Asian discrimination masked by "holistic" review. If a
21 Black applicant during Jim Crow was rejected by nearly every segregated
22 institution, that pattern would not undercut the claim of discrimination—it would

1 confirm it. Similarly, the consistency of rejection does not negate discrimination; it
2 may instead reflect its scope.

3 234. Second, Defendants attempt to justify the rejection on the basis of selectivity,
4 implying that Stanley Zhong simply fell short due to the competitiveness of
5 admissions. But elite institutions, precisely because they are selective, are where
6 discrimination is most likely to manifest—when there are far more qualified
7 applicants than available slots, universities have both the motive and the
8 opportunity to engineer class composition based on race. The Supreme Court
9 has recognized this dynamic. See *Students for Fair Admissions v. Harvard*, 600
10 U.S. 181 (2023); *Regents of the Univ. of Cal. v. Bakke*, 438 U.S. 265 (1978).

11 235. By ignoring the cultural, historical, and statistical context documented in the
12 Complaint, Defendants' motion relies on conclusory denials and
13 mischaracterizations that cannot defeat well-pleaded claims at this stage.

14 **P.5. Misrepresentation and Fact Twisting**

15 236. Defendants argue that “Plaintiffs ask this Court to take college admissions
16 decisions out of the hands of universities and put them in the lap of the judiciary.”
17 This is a misrepresentation of the Complaint. Plaintiffs do not ask the Court to
18 *substitute its own admissions criteria*, but rather to determine whether UW’s
19 policies and practices *violated the law*, particularly the Equal Protection Clause,
20 Title VI, and I-200. That is the judiciary’s core constitutional role. If Defendants’
21 logic were accepted, the line of landmark college admissions cases—including
22 *DeFunis v. Odegaard*, *Bakke*, *Hopwood*, *Smith v. UW*, *Grutter*, *Gratz*, *Fisher I*,

1 *Fisher II*, and *SFFA v. Harvard/UNC*—could never have been decided. The very
2 premise of those cases was that courts have both the authority and obligation to
3 evaluate whether universities are complying with anti-discrimination laws.

4 237. The motion claims that “Plaintiffs point to statistics they claim show that
5 Asian-Americans are underrepresented at UW.” This is plainly false. Plaintiffs
6 *explicitly acknowledge* that Asian Americans are overrepresented relative to their
7 share of the state population, but point out a disturbing trend: even as the Asian
8 American population in Washington increases, their enrollment share at UW
9 *declines*. Far from proving nondiscrimination, the disparity between applicant
10 qualifications and admissions outcomes—coupled with UW’s refusal to publish
11 disaggregated data—raises significant constitutional concerns. See *Arlington*
12 *Heights*.

13 238. Defendants assert that the allegations involving UW’s Psychology Department
14 “suggest precisely the opposite of their claims,” claiming the university took racial
15 discrimination seriously. In reality, whistleblower reports—cited in this Amended
16 Complaint—allege that UW’s top administrators were aware of the racially
17 discriminatory program while it was occurring, funded it, and later scapegoated
18 the department only after outside groups obtained documents via public records
19 requests. Defendants’ spin on these events is contradicted by the record and
20 fails to rebut the plausible inference of institutional complicity in unlawful racial
21 preferences.

22 239. The motion’s interpretation of President Cauce’s statement that the SFFA
23 ruling “won’t change our values or our mission” is disingenuous. If UW’s values

1 truly aligned with equal treatment regardless of race, President Cauce would
2 have celebrated the Court's decision, not expressed "disappointment and
3 concern." Her remarks, coupled with UW's prior public opposition to I-200 and
4 support for I-1000, indicate precisely the opposite: a desire to preserve racial
5 preferences under the guise of "diversity." A simple test proves the point: if
6 President Cauce were to publicly embrace race-blind, merit-based admissions
7 today, her continued leadership would be politically untenable at UW. This is not
8 neutrality—it is institutional resistance.

9 240. Defendants assert that Plaintiffs fail to explain why Stanley's rejection is
10 "bizarre," citing a lack of comparative basis. That assertion is refuted by the
11 Complaint itself. Stanley is a National Merit Scholar, placed first nationally in
12 MIT's Battlecode high school division, passed Google's PhD-level interview, and
13 built "one of the most efficient and secure" applications on AWS and was
14 selected as a case study. These achievements represent the highest level of
15 pre-collegiate accomplishment. The claim that Plaintiffs offer "no basis for
16 comparison" is simply false and suggests opposing counsel did not read the
17 Complaint carefully.

18 241. The motion argues that signs of discrimination against in-state applicants are
19 irrelevant to Stanley as an out-of-state applicant. This is illogical. Discrimination
20 is not bound by residency status; if UW engages in racial balancing, there is no
21 reason to believe that only in-state applicants are affected. If anything,
22 non-resident slots are more discretionary—and thus more susceptible to
23 manipulation.

1 242. The motion criticizes Plaintiffs for failing to place Stanley’s rejection in the
2 context of applicants with competitive profiles—yet it is UW that refuses to
3 disclose that very data. This presents a textbook catch-22: Defendants withhold
4 information about the qualifications of admitted students, then fault Plaintiffs for
5 not making direct comparisons. But at the motion to dismiss stage, Plaintiffs are
6 not required to prove their case—they need only plead sufficient facts to support
7 a plausible inference of illegality. The Amended Complaint easily satisfies that
8 standard. *Swierkiewicz v. Sorema N.A.*, 534 U.S. 506 (2002).

9 **P.6. Evading Core Factual Issues**

10 243. When purporting to present admissions statistics for UW’s Allen School,
11 Defendants’ motion offers only raw admission rates—not applicant qualifications
12 disaggregated by race. But admission rates alone do not speak to the central
13 question in this case: whether UW applied different standards to applicants of
14 different racial backgrounds. The motion entirely sidesteps the factual core: Were
15 all non-Asian applicants admitted over Stanley more qualified?

16 244. To answer that question, one must examine whether each of those admitted
17 possessed achievements equivalent to *all* of the following: (1) passing Google’s
18 Ph.D.-level interview, (2) placing first nationally in MIT’s Battlecode high school
19 division, (3) placing second in Carnegie Mellon’s picoCTF cybersecurity
20 challenge, (4) advancing to the USACO Platinum Division, (5) ranking in the top
21 500 globally in both Google Code Jam and Meta Hacker Cup, (6) creating the
22 world’s only unlimited free HIPAA-compliant e-signing service, (7) building an
23 AWS application selected for a case study as “one of the most efficient and

1 secure accounts” ever reviewed, and (8) receiving unsolicited media attention for
2 socially significant work.

3 245. Under the *McDonnell Douglas* framework, such evidence strongly supports a
4 prima facie case of discrimination. But even without legal formalism, common
5 sense supplies the answer: it is highly implausible that every non-Asian admitted
6 to the Allen School surpassed or even matched these accomplishments. The
7 motion avoids this comparison entirely—perhaps because it undermines their
8 position.

9 246. Instead, the motion offers a glib dismissal: “the fact that one applicant from
10 California who is Asian-American was rejected from a program where only 83
11 nonresident applicants from across the entire country were admitted does not,
12 without more, state a claim for racial discrimination.” That assertion willfully
13 ignores the extraordinary record of the applicant at issue. Pretending that Stanley
14 is just “one applicant from California” conveniently erases the remarkable
15 achievements that make his rejection not only implausible, but legally and
16 constitutionally suspect.

17 **P.7. Misinterpretation of the *Arlington Heights* Framework**

18 247. The motion dismisses Plaintiffs for “selectively refer[ring] to the portions of
19 UW’s website they consider helpful to their claims,” as if it were suspicious that
20 Plaintiffs rely on public-facing material. But given UW’s institutional sophistication
21 and legal resources, do Defendants seriously contend that a university intent on
22 violating anti-discrimination laws would openly advertise it on its homepage?

1 Universities today deploy entire legal and communications teams to sanitize
2 public materials precisely to avoid legal exposure. The idea that discriminatory
3 intent would be openly declared reflects either profound naiveté or strategic
4 misdirection. It is not just unsurprising—it is inevitable—that direct admissions of
5 unlawful racial intent are absent from UW’s website.

6 248. More importantly, the motion fails to even mention the governing standard for
7 evaluating discriminatory motive: the *Arlington Heights* framework. Under
8 *Arlington Heights v. Metropolitan Housing Development Corp.*, 429 U.S. 252, 266
9 (1977), Plaintiffs need not present direct admissions of unlawful intent.

10 Discriminatory motive can be inferred from *circumstantial evidence*, including (1)
11 the historical background of the decision, (2) the specific sequence of events
12 leading up to it, (3) departures from normal procedural sequences, and (4) the
13 legislative or administrative history. The Supreme Court explicitly recognized that
14 “racially discriminatory intent or purpose may often be inferred from the totality of
15 the relevant facts,” including context and patterns. *Id.* at 266.

16 249. By ignoring the *Arlington Heights* standard and demanding direct proof of
17 intent at the pleading stage, the motion misstates the applicable legal standard.
18 Plaintiffs have in fact identified extensive circumstantial evidence of
19 discriminatory motive, including UW’s longstanding opposition to I-200, its
20 embrace of I-1000, its post-*SFFA* defiance, the 15% racial target at the Allen
21 School, the suppression of standardized testing data, and the opacity of its
22 so-called “holistic” admissions process. These facts, taken together, satisfy the

1 *plausibility* threshold and more than justify discovery under the *Arlington Heights*
2 framework.

3 250. When a plaintiff relies on the *Arlington Heights* method to establish intent, “the
4 plaintiff need provide very little such evidence ... to raise a genuine issue of fact
5 ...; any indication of discriminatory motive ... may suffice to raise a question that
6 can only be resolved by a fact-finder.” *Pac. Shores Props.*, 730 F.3d at 1159
7 (citations omitted).

8 251. The type of direct evidence of discriminatory intent does not require “a virtual
9 admission of illegality.” *Venters*, 123 F.3d at 973. For example, direct evidence
10 need not take the form of an admission where the defendant states “I’m [taking
11 this adverse action] because you’re in a protected group.” *Sheehan v. Donlen*
12 *Corp.*, 173 F.3d 1039, 1044 (7th Cir. 1999); see *Venters*, 123 F.3d at 973. The
13 court in *Venters* explained that “the evidence need not be this obvious to qualify
14 as direct evidence.” *Id.* And the *Sheehan* court explained why: because such a
15 requirement “would cripple enforcement of the ... discrimination laws.” *Sheehan*,
16 173 F.3d at 1044.

17 252. Even isolated comments may constitute direct evidence of discrimination if
18 they are “contemporaneous with the [adverse action] or causally related to the
19 [adverse action] decision making process.” *Kennedy v. Schoenberg, Fisher &*
20 *Newman, Ltd.*, 140 F.3d 716, 723 (7th Cir. 1998) (citations omitted).

21 253. While disparate impact is not the only factor in an *Arlington Heights* case,
22 “showing disproportionate impact, even if not overwhelming impact, suffices to

1 establish one of the circumstances evidencing discriminatory intent.” *N. Carolina*
2 *State Conference of NAACP v. McCrory*, 831 F.3d 204 (4th Cir. 2016).

3 254. Using the *Arlington Heights* method of proving intent, the court analyzes
4 whether discriminatory purpose motivated a recipient’s actions by examining
5 factors such as statistics demonstrating a “clear pattern unexplainable on
6 grounds other than race.” *Village of Arlington Heights v. Metropolitan Housing*
7 *Development Corp.*, 429 U.S. 266 (1977).

8 255. In *International Brotherhood of Teamsters v. United States*, 431 U.S. 324
9 (1977), a case brought under the “pattern or practice” provision of Title VII, the
10 Court stated that “statistics showing racial or ethnic imbalance are probative ...
11 because such imbalance is often a telltale sign of purposeful discrimination.” *Id.*
12 at 339 n.20. Accordingly, statistical evidence of a sufficiently “gross disparity”
13 between the affected population and the general population may establish an
14 inference of intentional discrimination. *Hazelwood Sch. Dist. v. United States*, 433
15 U.S. 299, 307–08 (1977) (“Where gross statistical disparities can be shown, they
16 alone may in a proper case constitute *prima facie* proof of a pattern or practice of
17 discrimination.”).

18 256. In *Comm. Concerning Community Improvement v. City of Modesto*, 583 F.3d
19 690 (9th Cir. 2009), the Ninth Circuit Court of Appeals stated that “proof of
20 disproportionate impact on an identifiable group, such as evidence of ‘gross
21 statistical disparities,’ can satisfy the intent requirement where it tends to show
22 that some invidious or discriminatory purpose underlies the policy.” The profound
23 disparities between standardized test scores and the racial distribution of UW

1 student body, and the gap between Asian population growth and its declining
2 percentage in UW enrollment, all strongly suggests “gross statistical disparities.”

3 257. As the Supreme Court explained in *Columbus Board of Education v. Penick*,
4 443 U.S. 449, 464–65 (1979), “[a]ctions having foreseeable and anticipated
5 disparate impact are relevant evidence to prove the ultimate fact, forbidden
6 purpose. . . . [T]he foreseeable effects standard [may be] utilized as one of the
7 several kinds of proofs from which an inference of segregative intent may be
8 properly drawn. . . . Adherence to a particular policy or practice, with full
9 knowledge of the predictable effects of such adherence . . . is one factor among
10 many others which may be considered by a court in determining whether an
11 inference of segregative intent should be drawn.” In light of the well-documented
12 racial disparities in SAT scores, the foreseeable impact of UW’s “test-optional”
13 policy further supports an inference of racial intent.

14 258. *FBI v. Fikre*, 601 U.S. 234 (2024) held that the presumption of good faith for
15 government actors is no longer good law. Specifically, *Fikre* held that the
16 requirement of proving that voluntary cessation is permanent “holds for
17 governmental defendants no less than for private ones,” *id.* at 241.

18 **P.8. Misinterpretation of the *McDonnell Douglas* Framework**

19 259. The motion misstates the *McDonnell Douglas* framework and its applicability
20 to college admissions. It lists four elements for establishing a prima facie case of
21 discrimination—namely “(1) the plaintiff is a member of a protected class, (2) the
22 defendant’s place of business is a place of public accommodation, (3) the plaintiff

1 was treated differently than similarly situated individuals outside the plaintiff's
2 protected class, and (4) the plaintiff's protected status was a substantial factor in
3 causing the discrimination." However, this formulation is not consistent with how
4 the *McDonnell Douglas* burden-shifting framework is typically applied in
5 admissions-related discrimination claims. Plaintiffs' application of the correct
6 framework is presented in [Section J](#) of this Complaint.

7 260. The motion further claims that "Plaintiffs present neither and instead attempt
8 to rely on a single anecdote (Stanley's rejection)". That assertion is both legally
9 and factually flawed. First, the rejection of a single applicant can suffice to
10 establish a prima facie case under *McDonnell Douglas*, so long as it is
11 accompanied by evidence that the applicant was well-qualified and that
12 less-qualified individuals outside the protected class were admitted. Plaintiffs
13 have pled exactly that. Second, while Defendants cite *Stewart v. Texas Tech*
14 *Univ. Health Sciences Center*, they omit the key contextual difference: in *Stewart*,
15 the plaintiff could rely on internal data showing disparities in GPAs and MCAT
16 scores by race. But at UW—and across elite institutions—such data is
17 aggressively concealed. Elite universities have fought tooth-and-nail to block
18 access to disaggregated admissions data, precisely to shield their practices from
19 legal scrutiny. It would be both unjust and contrary to public policy to require
20 Plaintiffs to present data that Defendants systematically withhold. In *Stewart v.*
21 *Texas Tech*, the court denied a motion to dismiss where the plaintiff identified
22 racial disparities in admissions statistics and was personally rejected despite
23 superior metrics. Like in *Stewart*, Plaintiffs allege that Stanley was rejected while

1 lower-qualified students of other races were admitted, and the surrounding
2 policies reflect a preference structure inconsistent with equal protection.

3 261. Nonetheless, Plaintiffs have conducted deductive analysis based on publicly
4 available information—including SAT performance by race, UW's student body
5 composition, and the known qualifications of Stanley Zhong. That analysis
6 reveals deep and unexplained disparities that point strongly toward
7 discrimination. Further, while statistics may be one way to demonstrate
8 discrimination, it is not the only way. The *McDonnell Douglas* framework provides
9 a path forward through comparative and circumstantial evidence even where full
10 statistical datasets are unavailable.

11 262. Plaintiffs have clearly pled (1) that Stanley belongs to a protected class (Asian
12 American), (2) that he was exceptionally qualified, (3) that he was rejected
13 despite those qualifications, and (4) that UW admitted less-qualified applicants of
14 other races. This is sufficient to satisfy the prima facie showing under *McDonnell*
15 *Douglas* and to survive a motion to dismiss.

16 **Q. Defendants' Questionable Litigation Conduct**

17 263. Virtually all legal precedents concerning discrimination in college admissions
18 have addressed policies and practices at the institutional level, rather than within
19 individual departments or schools. However, the repeated references to the Allen
20 School in Defendants' Motion to Dismiss prompted Plaintiffs to investigate
21 potential discrimination specifically within the Allen School. Via a Google search
22 (See an example in [Exhibit 3](#)) on July 19, 2025, Plaintiffs discovered the Allen

1 School's 15% target on the [website](#) of the Asian American Coalition for
2 Education (AACE). When Plaintiffs noticed the UW document that AACE [linked](#)
3 to was removed from UW's website, Plaintiffs asked AACE for the original
4 document. In a response on July 19, AACE sent Plaintiffs the screenshot in
5 Exhibit 1 and indicated that they "don't have the full text."

6 264. On July 23, 2025, Plaintiff Nan Zhong emailed UW's legal counsel, informing
7 them of Plaintiffs' intent to file a First Amended Complaint incorporating this
8 newly discovered evidence, and attached the screenshot excerpt from AACE as
9 part of that communication.

10 265. On July 31, 2025, UW counsel Mr. Marc Shapiro sent the following email to
11 Plaintiffs.

12 Nan and Stanley,

13 We write in response to your July 23, 2025, email in which you relayed that
14 you intend to allege in your amended complaint that the Allen School has a
15 "15% enrollment target for certain racial groups." The screenshot you
16 provided, which we understand to be an excerpt from a 2021 document,
17 does not support that characterization. That is even more so when viewed
18 in the context of the entire 2021 document, which we presume you have.

19 In fact, the very language you have highlighted was identified in a letter to
20 the University of Washington by Mr. Yukong Zhao, the President of the
21 Asian American Coalition for Education, with whom we understand you
22 have had prior interactions. As the University explained to Mr. Zhao in its

1 January 2024 reply letter, the University and the Allen School do “not use
2 race as a factor in admission decisions, and we do not use racial quotas.”
3 The University further explained that the statement you identify merely
4 reflects that the Allen School “measure[d] the demographics ... and
5 observe[d] how those demographics compare with the UW-Seattle
6 average.” As the University noted, “[t]he Department of Education has
7 affirmed that institutions may collect demographic information,” as long as
8 the information does not influence admissions decisions. And, as the
9 University explained, the Allen School does not use this information in its
10 admissions decisions. We have attached the letter to Mr. Zhao for your
11 convenience.

12 We wanted to raise this issue in order to remind you of your obligations as a
13 pro se litigant under Rule 11 of the Federal Rules of Civil Procedure. Rule
14 11 requires that “[e]very pleading, written motion, and other paper must be
15 signed by at least one attorney of record... or by a party personally if the
16 party is unrepresented” and makes plain that, “[b]y presenting to the court a
17 [signed] pleading... or other paper...[,] an attorney or unrepresented party
18 certifies that to the best of the person’s knowledge, information, and belief,
19 formed after an inquiry reasonable under the circumstances... the factual
20 contentions have evidentiary support....” Rule 11, and the penalties it
21 provides for, applies equally to attorneys and pro se litigants.

22 We do not believe your allegation—that the Allen School has a 15%
23 enrollment target for certain racial groups—is a correct characterization of

1 the document, particularly in light of further correspondence and follow-on
2 (in)action by AACE. Nor do we think any comparable characterization is
3 accurate. As the University's 2024 letter to Mr. Zhao demonstrates, the
4 statement on which you base your allegation very clearly does not provide
5 any evidentiary support for your allegation.

6 We are sending this email as a courtesy and trust that you will proceed in
7 conformity with your obligations.

8 Regards,

9 Marc

10 266. In an email response on July 31, 2025, Plaintiffs refuted Mr. Shapiro's
11 characterization that the screenshot suggests only a passive observation, and
12 requested a copy of the complete document.

13 267. In a follow-up email dated August 1, 2025, Plaintiffs clarified to UW counsel
14 that the AACE only provided the screenshot, and again requested UW counsel
15 provide a copy of the full document. On August 5, 2025, Plaintiffs reiterated this
16 request. In a response on August 25, UW counsel refused to produce the full
17 document, as indicated in their reply email, reproduced below.

18 Nan and Stanley,

19 We previously reached out and provided you context in response to your
20 email as a courtesy. As we have relayed, a litigant is required to file a
21 complaint based on a good faith, Rule 11 belief that his allegations are true.

1 The allegations must not be speculative or based on conjecture. Our initial
2 motion to dismiss demonstrated the absence of any plausible basis in your
3 original complaint and its contention that Stanley's denial of admission from
4 the Allen School was predicated upon his status as an Asian American.

5 The course of litigation here suggests that you are utilizing the litigation
6 process to backfill unsubstantiated allegations. To that end, we are
7 concerned that you intended to amend your complaint all along and
8 strategically waited to see our motion to dismiss before doing so. Such
9 delayed disclosure, particularly if strategic, is troubling. And your response
10 to our courtesy email is equally disconcerting. Though you admitted you do
11 not have the full document, you expressed an unreserved and unqualified
12 position that it supports your position.

13 We have no discovery obligations at this juncture, and the litigation conduct
14 to date does not suggest that disclosures will, as we had hoped, lead to
15 productive conversations with the goal of truth-seeking, but rather will be
16 used to fuel and backfill the unsubstantiated belief that drove the filing of
17 this litigation in the first place.

18 To be clear, we will abide by all discovery and preservation obligations. We
19 are not, however, obligated to produce this document at this time. That you
20 are continuing to press forward based on a screenshot without further
21 documentary context remains deeply disturbing, particularly where, as we
22 understand, the AACE itself—which you claim is the source of this

1 screenshot—took no further steps based on the University of Washington’s
2 reply to its letter.

3 268. Defendants’ assertion that their actions are race-neutral is directly
4 undermined by their own conduct in this litigation. After threatening Plaintiffs with
5 Rule 11 sanctions for alleging the existence of a racial enrollment target,
6 Defendants’ counsel represented that “the entire 2021 document” would disprove
7 Plaintiffs’ claim. Yet when Plaintiffs subsequently requested this supposedly
8 exculpatory document, Defendants refused to produce it. This Court should draw
9 an adverse inference from that refusal. A party who possesses evidence that
10 would exonerate them has every incentive to disclose it. Their refusal to do so
11 strongly suggests that the document is not exculpatory, but inculpatory—and that
12 Defendants’ stated justifications are pretextual. Such conduct further supports
13 Plaintiffs’ claim that race was a motivating factor in the admissions decisions at
14 issue.

15 269. While Defendants’ counsel accused Plaintiffs of speculation, they themselves
16 engaged in speculation by asserting—without evidence—that Plaintiffs “intended
17 to amend [their] complaint all along and strategically waited to see [Defendants’]
18 motion to dismiss before doing so.” In reality, Plaintiff Nan Zhong only became
19 aware of the 15% enrollment target at the Allen School on July 19, 2025, after
20 discovering a reference to AACE’s letter to UW in a Google search. This
21 prompted Nan to email AACE that same day to request further information. (See
22 [Exhibit 4](#).) Although Nan and AACE had previously exchanged emails, AACE
23 had not previously disclosed or mentioned their letter to UW, nor had they

1 provided the relevant screenshot until after Nan's July 19 inquiry. This timeline
2 directly contradicts Defendants' speculation.

3 270. While AACE took no further action after receiving UW's reply, that fact carries
4 little significance in this litigation. AACE did not have access to the broader
5 evidentiary context that Plaintiffs now present in this Amended Complaint, which
6 collectively establish a far more robust case of intentional discrimination.

7 **V. CLAIMS FOR RELIEF**

8 **COUNT I - Violation of the Equal Protection Clause, U.S. Const. Amend. XIV**

9 **(Against the Individual Defendants at UW in their Official and Personal** 10 **Capacities)**

11 271. Plaintiffs reallege and incorporate by reference the allegations set forth
12 above. Taken together, the facts presented form a consistent, disturbing pattern
13 of intentional racial discrimination—one that culminated in the rejection of Stanley
14 Zhong and the discouragement of his brother Minor Son, not because they lack
15 merit, but because they do not fit the racial profile Defendant UW wants to
16 engineer.

17 272. Plaintiffs bring this claim under 42 U.S.C. § 1983 to vindicate rights secured
18 by the Equal Protection Clause of the Fourteenth Amendment.

19 273. The equal protection clause of the Fourteenth Amendment prohibits state
20 actors from denying individuals equal protection of the laws, including through
21 the use of race as a motivating factor in government decision-making.

1 274. The discriminatory intent of Defendant UW can be inferred from a
2 constellation of evidentiary factors, including: (1) the demonstrable statistical
3 evidence of disparate impact on Asian Americans in admissions; (2) their
4 historical track record of open desire to suppress Asian Americans in admissions;
5 (3) the sequence of events demonstrating their resolute opposition to legal
6 mandates to evaluate admissions candidates without regard to racial preference;
7 and (4) their deviations from regular procedures or substantive norms of racial
8 equality and evaluation of academic candidates on the basis of merit regardless
9 of race.

10 275. As a public institution, Defendant UW's admissions policies and practices
11 violate the Equal Protection Clause of the Fourteenth Amendment by
12 intentionally discriminating against Asian-American applicants, including Stanley,
13 on the basis of race.

14 276. Defendant UW's acts and omissions were motivated by malicious and
15 oppressive motives, and involved reckless or callous indifference to Plaintiffs'
16 constitutionally protected rights. Their conduct was undertaken in the face of the
17 known, perceived risk that their actions violated federal or state law.

18 277. As a result of the illegal discrimination by Defendant UW, Plaintiffs have
19 suffered direct and indirect damages in an amount to be determined at trial.

20 278. Plaintiffs have been and will continue to be injured or face imminent harm by
21 Defendant UW's ongoing discriminatory admissions policies, which deny them an
22 equal opportunity to compete for admission based on race or ethnicity.

1 279. Plaintiffs are entitled to a declaratory judgment and a permanent injunction
2 because there is no plain, adequate, or speedy remedy at law to prevent
3 Defendant UW from continuing to use admissions policies and practices that
4 discriminate on the basis of race or ethnicity in violation of the Fourteenth
5 Amendment and because the harm Plaintiffs will otherwise continue to suffer is
6 irreparable. Defendant UW acted with callous indifference to Plaintiffs' rights
7 under the Equal Protection Clause. Accordingly, Plaintiffs seek punitive damages
8 to deter such unconstitutional conduct.

9 280. Plaintiffs seek this relief under 42 U.S.C. § 1983 and any other law that might
10 supply a cause of action for the requested relief, including the Declaratory
11 Judgment Act (28 U.S.C. § 2201) and the implied cause of action recognized in
12 *Ex parte Young*, 209 U.S. 123 (1908).

13 281. Plaintiffs seek this relief only against the individual defendants at UW, and not
14 against the institutional defendants.

15 **COUNT II - Violation of Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d)**
16 **(against the University of Washington)**

17 282. Plaintiffs reallege and incorporate by reference the allegations set forth
18 above.

19 283. Plaintiffs bring this claim under Title VI of the Civil Rights Act of 1964, which
20 prohibits any program or activity receiving federal financial assistance from
21 subjecting individuals to discrimination on the basis of race.

1 284. UW receives substantial federal funding and is therefore subject to the
2 requirements of Title VI.

3 285. Although Title VI does not, by its terms, incorporate constitutional standards,
4 the Supreme Court has made clear that a Title VI claim for racial discrimination in
5 admissions is coextensive with a claim under the Equal Protection Clause.

6 286. For the reasons set forth earlier in this complaint, Plaintiffs allege that UW
7 intentionally discriminated against Asian-American applicants, including Stanley
8 and Minor Son, on the basis of race, in direct violation of Title VI.

9 287. As a result of the illegal discrimination by Defendant UW, Plaintiffs have
10 suffered direct and indirect damages in an amount to be determined at trial.

11 288. Plaintiffs have been and will continue to be injured or face imminent harm by
12 Defendant UW's ongoing discriminatory admissions policies, which deny them an
13 equal opportunity to compete for admission based on race or ethnicity.

14 289. Plaintiffs are entitled to a declaratory judgment and a permanent injunction
15 because there is no plain, adequate, or speedy remedy at law to prevent
16 Defendant UW from continuing to use admissions policies and practices that
17 discriminate on the basis of race or ethnicity in violation of Title VI of the Civil
18 Rights Act of 1964 and because the harm Plaintiffs will otherwise continue to
19 suffer is irreparable.

20 290. Plaintiffs seek this relief under Title VI, 42 U.S.C. § 1983, and any other law
21 that might supply a cause of action for the requested relief, including the

1 Declaratory Judgment Act (28 U.S.C. § 2201) and the implied cause of action
2 recognized in *Ex parte Young*, 209 U.S. 123 (1908).

3 291. Plaintiffs seek this relief only against the institutional defendants UW and not
4 the individual defendants.

5 **COUNT III - Violation of 42 U.S.C. § 1981**

6 **(Against the Individual Defendants at UW in their Official and Personal**
7 **Capacities)**

8 292. Plaintiffs reallege and incorporate by reference the allegations set forth
9 above.

10 293. 42 U.S.C. § 1981(a) guarantees individuals the same right to make and
11 enforce contracts without regard to race. This includes the right to enter into
12 contracts for educational services at public universities. UW is a public institution
13 bound by this statutory obligation.

14 294. 42 U.S.C. § 1981(a) protects whites (and Asians) on the same terms that it
15 protects “underrepresented” racial minorities. *See McDonald v. Santa Fe Trail*
16 *Transportation Co.*, 427 U.S. 273, 295 (1976) (“[T]he Act was meant, by its broad
17 terms, to proscribe discrimination in the making or enforcement of contracts
18 against, or in favor of, any race.”).

19 295. Stanley and Minor Son are members of a protected class, namely Asian
20 Americans by race and national origin.

21 296. Stanley and Minor Son are objectively qualified for admissions to UW.

1 297. Stanley was objectively evaluated by Google as possessing Ph.D.-level
2 qualifications.

3 298. Minor Son, though still in high school, has already demonstrated academic
4 excellence, intellectual maturity, and exceptional extracurricular involvement that
5 place him on track to be a top-tier college applicant. He maintains a perfect 4.0
6 GPA, outpacing Stanley at the same stage, and exhibits advanced cognitive
7 abilities—including multiple six-second Rubik’s Cube solves in official
8 competition, five ball juggling on stage at national festival, varsity athletic
9 performance, and deep engagement with intellectual pursuits.

10 299. Stanley was rejected from UW despite the fact that his credentials placed him
11 in the top echelon of applicants, not only by UW’s standards but by the highest
12 standards of academic institutions nationwide.

13 300. Many similarly situated, non-Asian applicants were accepted despite having
14 inferior credentials whereas Stanley was rejected.

15 301. Defendant UW’s race-based admission standards have discouraged and
16 preemptively prevented Minor Son from contracting with UW.

17 302. Defendant UW’s decision to deny Stanley admission was not made in a
18 vacuum. As detailed in the preceding sections of this complaint, Defendant UW
19 has repeatedly affirmed its commitment to racially balancing its student body, has
20 publicly expressed opposition to I-200, and has continued to rely on “holistic
21 review” as a smokescreen for race-based admissions even after the Supreme
22 Court’s ruling in *SFFA v. Harvard*.

1 303. The stark statistical disparities in admission rates by race, Defendant UW's
2 long and well-documented history of defending race-based preferences, and its
3 resistance to race-neutral alternatives provide overwhelming circumstantial
4 evidence that Stanley's race was the but-for cause of his rejection. Had he not
5 been Asian American, his application would have received materially different
6 treatment. That is precisely what § 1981 forbids.

7 304. Accordingly, Defendant UW violated 42 U.S.C. § 1981 by discriminating
8 against Asian Americans, and Plaintiffs seek all appropriate legal and equitable
9 remedies.

10 305. As a result of Defendant UW's discriminatory policies and practices, Plaintiffs
11 have suffered harm, including the loss of educational opportunities, emotional
12 distress, financial loss, and reputational damage.

13 306. Plaintiffs have been and will continue to be injured or face imminent harm by
14 Defendant UW's ongoing discriminatory admissions policies, which deny them an
15 equal opportunity to compete for admission based on race or ethnicity.

16 307. Plaintiffs are entitled to a declaratory judgment and a permanent injunction
17 because there is no plain, adequate, or speedy remedy at law to prevent
18 Defendant UW from continuing to use admissions policies and practices that
19 discriminate on the basis of race or ethnicity in violation of 42 U.S.C. § 1981 and
20 because the harm Plaintiffs will otherwise continue to suffer is irreparable.
21 Defendant UW acted with callous indifference to Plaintiffs' federally protected
22 rights. Accordingly, Plaintiffs seek punitive damages to deter such illegal conduct.

1 308. Plaintiffs seek this relief under 42 U.S.C. § 1983, as well as the implied right
2 of action that the Supreme Court has recognized to enforce 42 U.S.C. § 1981(a),
3 and any other law that might supply a cause of action for the requested relief,
4 including the Declaratory Judgment Act (28 U.S.C. § 2201) and the implied
5 cause of action recognized in *Ex parte Young*, 209 U.S. 123 (1908). See
6 *Johnson v. Railway Express Agency, Inc.*, 421 U.S. 454, 459–60 (1975) and
7 *Runyon v. McCrary*, 427 U.S. 160 (1976).

8 309. Plaintiffs seek this relief only against the individual defendants at UW, and not
9 against the institutional defendants.

10 310. The text of 42 U.S.C. § 1981(a) makes no exceptions for “compelling state
11 interests,” “student-body diversity,” or race-based affirmative-action programs. It
12 prohibits all forms of racial discrimination in contracting—regardless of whether
13 that racial discrimination is independently prohibited by the Equal Protection
14 Clause.

15 **COUNT IV - Violation of RCW 49.60.400**

16 **(Against UW And All Individual Defendants at UW in Their Official and Personal**
17 **Capacities)**

18 311. Plaintiffs reallege and incorporate by reference the allegations set forth
19 above.

20 312. RCW 49.60.400 prohibits racial discrimination in public education. UW's
21 discriminatory admissions policies and practices violate this provision by denying

1 Asian-American applicants, including Stanley, equal access to public educational
2 opportunities.

3 313. Defendant UW here has acted under the color of state law.

4 314. Defendant UW's continued use of race as a factor in undergraduate
5 admissions, however obscured by euphemism or cloaked in "holistic" rhetoric, is
6 a direct violation of RCW 49.60.400.

7 315. Defendant UW's own public statements and internal materials confirm that
8 race continues to play a determinative role in its operations. Defendant UW has
9 resisted race-neutral alternatives and has openly declared opposition to I-200.

10 316. Stanley and Minor Son are denied equal consideration for admission to UW
11 because of their race.

12 317. That is precisely the kind of discriminatory and preferential treatment that
13 RCW 49.60.400 forbids. Defendant UW's conduct constitutes a plain and
14 ongoing violation of RCW 49.60.400. Plaintiffs seek all appropriate legal and
15 equitable remedies.

16 318. As a result of Defendant UW's discriminatory policies and practices, Plaintiffs
17 have suffered harm, including the loss of educational opportunities, emotional
18 distress, financial loss, and reputational damage.

19 319. Plaintiffs have been and will continue to be injured or face imminent harm by
20 Defendant UW's ongoing discriminatory admissions policies, which deny them an
21 equal opportunity to compete for admission based on race or ethnicity.

320. Plaintiffs are entitled to a declaratory judgment and a permanent injunction because there is no plain, adequate, or speedy remedy at law to prevent Defendant UW from continuing to use admissions policies and practices that discriminate on the basis of race or ethnicity in violation of RCW 49.60.400 and because the harm Plaintiffs will otherwise continue to suffer is irreparable.

VI. PRAYER FOR RELIEF

WHEREFORE, Plaintiffs seek the following relief pursuant to 42 U.S.C. §§ 1983, 1988, Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 1981, the Fourteenth Amendment, and RCW 49.60.400. Plaintiffs respectfully request that this Court:

321. Declaratory and Injunctive Relief

a. Declare that Defendant UW's student admissions and faculty hiring policies and practices violate:

i. The Fourteenth Amendment to the U.S. Constitution,

ii. Title VI of the Civil Rights Act of 1964,

iii. 42 U.S.C. § 1981, and

iv. RCW 49.60.400 (I-200).

b. Issue a permanent injunction prohibiting Defendant UW from using race, ethnicity, or proxies thereof in admissions decisions or recruitment practices.

c. Issue a permanent injunction requiring Defendant UW to conduct all admissions in a manner that does not permit those engaged in the decisional process to be aware of or learn the race or ethnicity of any applicant for admission.

- d. Issue an injunction prohibiting Defendant UW from retaining or reinstating personnel found personally liable without remedial controls in place.

322. Oversight & Mandatory Training

- a. Upon a finding of ongoing noncompliance, appoint a court monitor to oversee all decisions relating to Defendant UW's student admissions to ensure that these decisions are free from racial discrimination of any sort;
- b. Require annual I-200 training for all UW personnel involved in admissions or hiring.
- c. Require all trained personnel to explicitly acknowledge that violating I-200 or failing to report violations may result in disciplinary action, including termination.

323. Award Monetary Damages & Attorney's Fees

- a. Award to Plaintiffs nominal damages in the amount of \$1.
- b. Award to Plaintiffs compensatory damages in an amount equal to the application fee.
- c. Award to Plaintiffs punitive damages from liable individual defendants in their personal capacity in an amount to be determined at trial.
- d. Award reasonable attorneys' fees and costs incurred in this action under 42 U.S.C. § 1988. While Plaintiffs currently appear pro se, they expressly reserve the right to recover any documented legal expenditures should they retain counsel or incur other recoverable costs.
- e. Grant such other and further relief as this Court deems just and proper.

1 **VII. JURY DEMAND**

2 Pursuant to the Seventh Amendment to the United States Constitution and Rule 38 of
3 the Federal Rules of Civil Procedure, Plaintiffs hereby demand a trial by jury on all
4 issues so triable.

5 _____

6 I declare under penalty of perjury that the allegations in the complaint are true.

7 Respectfully submitted,

8 /s/ Stanley Zhong

9 Stanley Zhong (Pro Se)

10 211 Hope St #390755

11 Mountain View, CA 94039

12

13 /s/ Nan Zhong

14 Nan Zhong (Pro Se)

15 211 Hope St #390755

16 Mountain View, CA 94039

17 nanzhong1@gmail.com

18 **Dated:** August 6, 2025

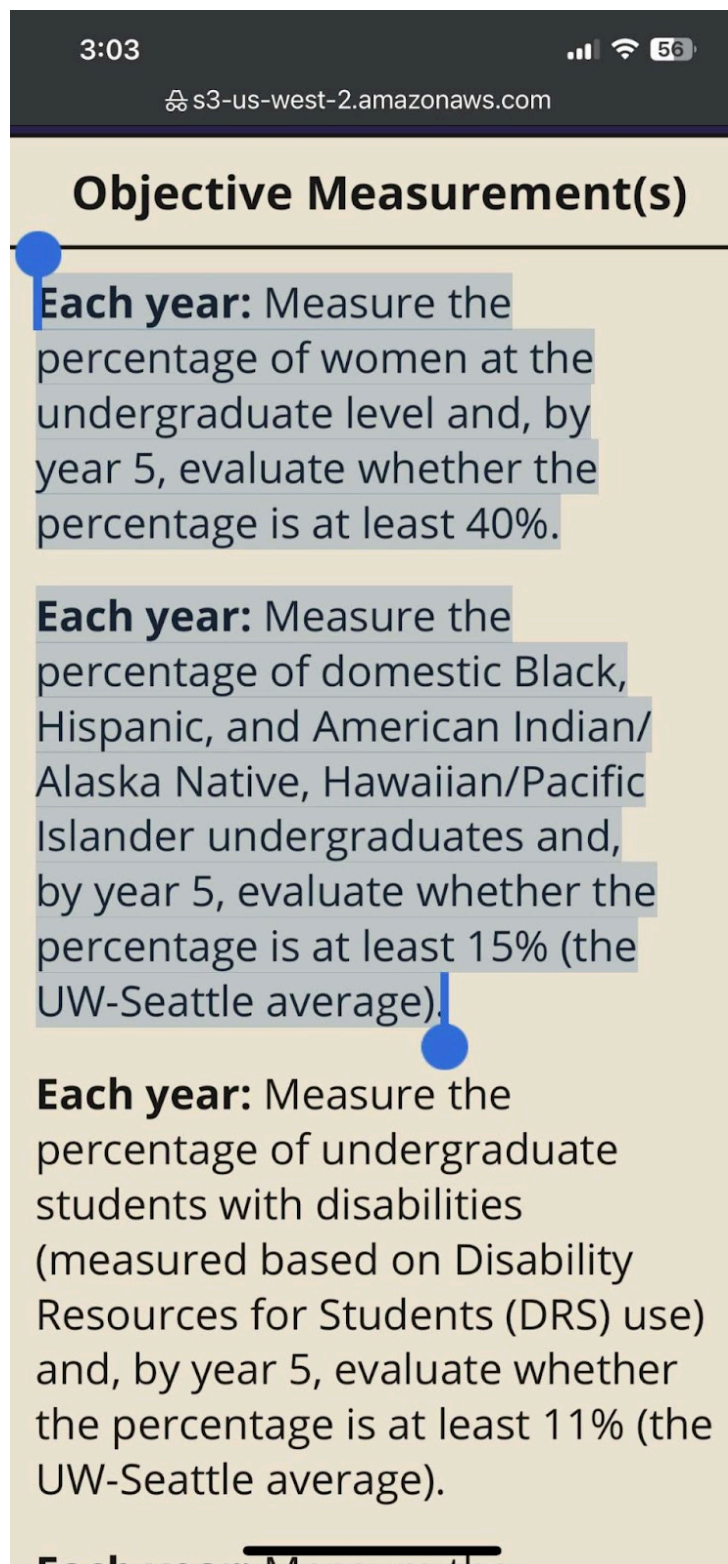
EXHIBIT 1**UW ALLEN SCHOOL'S 15% ENROLLMENT TARGET FOR CERTAIN RACIAL GROUPS**

EXHIBIT 2

UW ALLEN SCHOOL'S 5-YEAR STRATEGIC PLAN REMOVED AS OF AUGUST 3, 2025

<https://www.cs.washington.edu/who-we-are/diversity-equity-inclusion-access/strategic-plan>
[an](#)

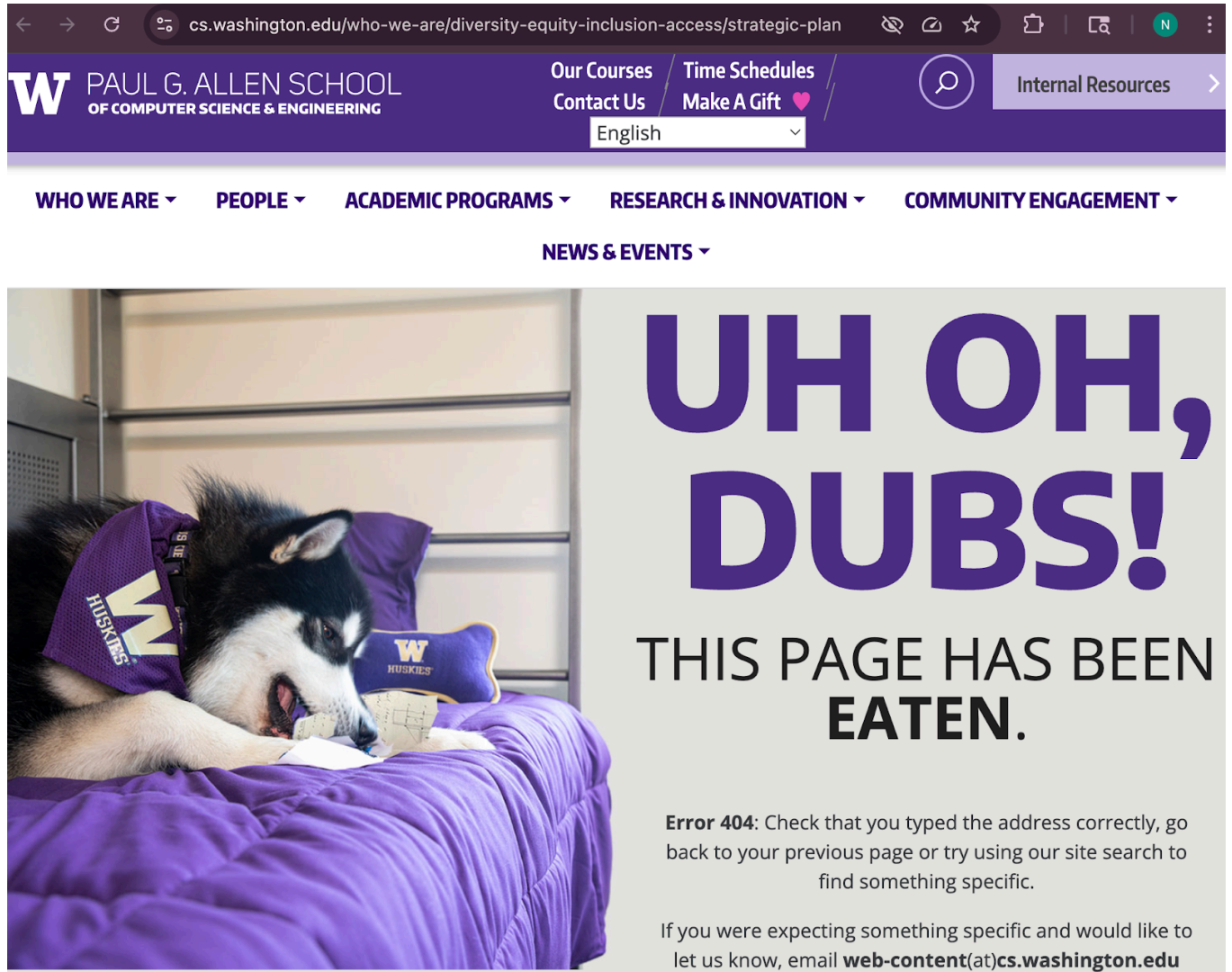


EXHIBIT 3

EXAMPLE GOOGLE SEARCH LEADING TO AACE's LETTER TO UW

Google

did uw allen school using race in admissions around 2023

AI Mode All News Images Short videos Videos Forums More options Tools

AI Overview

Washington state law (Initiative 200), passed in 1998, banned the use of race as a factor in admissions by public universities, including the University of Washington. This means that the UW Allen School of Computer Science & Engineering was **prohibited from using race as a factor in its admissions decisions around 2023** due to Washington state law.

However, the Asian American Coalition for Education (AACE) sent a letter to the Allen School in December 2023, urging them to stop the "illegal use of race in admissions" based on the School's Diversity, Equity, Inclusion, and Access (DEIA) plan. This suggests that there might have been concerns or allegations regarding the School's practices related to race in admissions despite the state law.

It's important to note the distinction between using race as a factor in admissions and considering the role race has played in an applicant's life experiences, which may be permissible as allowed by the Supreme Court's 2023 ruling on affirmative action in college admissions. However, Washington state law had already restricted the use of race in admissions for public universities for some time prior to this ruling.

Dive deeper in AI Mode

AI responses may include mistakes. [Learn more](#)

Asian American Coalition for Education
https://asianamericanforeducation.org › university-of-wa...

AACE Urges Paul G. Allen School of Computer Science & ...
Dec 12, 2023 — Allen School of Computer Science & Engineering, University of Washington, urging the school to stop illegal use of race in admissions and its ...

EXHIBIT 4

EXCHANGE WITH **AACE** REGARDING **UW** INITIATED ON **JULY 19, 2025**

AACE Urges University of Washington to Stop Illegal Racial Quotas in Admissions



Inbox x

SWORD/UW x

◆ Summarize this email

Nan Zhong <nanzhong1@gmail.com>

Jul 19, 2025, 10:11 AM



to Mike, [REDACTED]

Hi Mike,

What you [mentioned](#) in the letter is strong evidence against UW. The link to the "Allen School's Diversity, Equity, Inclusion, and Access Five-year Strategic Plan policy" is dead. Do you have a copy of it? I'd like to show the court their 15% target.

Do you have similar evidence against any other universities?

Thanks,
Nan

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4

5

6 The link of "mentioned" in the email is

7 [https://asianamericanforeducation.org/en/university-of-washington-to-stop-illegal-racial-](https://asianamericanforeducation.org/en/university-of-washington-to-stop-illegal-racial-quotas-in-admissions/)

8 [quotas-in-admissions/](https://asianamericanforeducation.org/en/university-of-washington-to-stop-illegal-racial-quotas-in-admissions/)